

Exhibit 1002

EPM Employees Who Acknowledge the Grace Period

Name (Last, First)	Plant
Acosta-Pimental, Felix	Central Services
Adam, Timothy, L.	Central Services
Adams, Lyle	S1
Agelwei, Cindy	A2
Almonte, Maria M.	Injection Molding 2 (IM2)
Angstadt, Craig	Industrial Automotive
Angstadt, David Philip	A4
Arnold, Gregory	Smelter
Auchenbach, Sarah	A4
Auker, Mahlon	A1
Baret, Edwin	S1
Barthold, George	A3
Bauer, Mark A	A4
Becker, Steven	A4
Behm, Daniel	A4
Beitler, Wayne R.	Central Services
Bieber, David R.	Central Services
Biswas, Musa	A3
Bogert, Sr., Brian C.	Oxide 2
Bowlin, Brady	S1
Boyer, Jonathan	A1
Boyle, Ryan	A2
Breidenstein, Phil	A2
Burgos-Figueroa, Dominique Jose	A4
Caballero, Daniel	A4
Camps, Ashley	Central Services
Caraballo, Kathia	S1
Castro, Silvio	A2
Citron, Angel L.	Water Treatment
Clay, Aaron J	Central Services
Coello, Mayra	Injection Molding 2 (IM2)
Colon, Jr., Javen	Smelter
Colon, Nydia I.	Smelter
Concepcion-Abad, Carolina	A4
Conrad, Jacob	A4
Cooper, Tanya L	A4
Cramsey, David	S1
Cruz, Jazzlynn	A2
Cruz, Rolando	A4
DeLaCruz, Marleni	A3
DeLong, Dylan	S1
Dengler, Shawn	S1

Name (Last, First)	Plant
Diaz, Felipe	A1
Dietrich, Colton N.	Injection Molding 1 (IM1)
Dietrich, Michael R.	A4
Dietrich, Richard A	Central Services
Donton, Jimmy	S1
Eckert, Dwayne L.	Central Services
Elliott, Jon	A1
Enriquez, Gustavo A.	Central Services
Ernst, Clifford	S1
Esposito, Chad N.	A4
Esteria, Prime	A4
Farley, Jr., Eugene D	A4
Faust, Daniel	Industrial Automotive
Fegely, David	Industrial (IND)
Fehnel, Bob	A1
Felix, Elington	A4
Ferrer-Jimenez, Jose	Industrial (IND)
Fisher, Kevin	A1
Flicker, Cristin	Industrial Automotive
Fonseca-Rivera, Jr., Alejandro Emmanuel	A4
Fritsch, David	A1
Garcia, Daniel	Industrial Automotive
Gonzalez-Zavala, Vicente	A4
Green, Robert	S1
Greenawalt, Kevin L.	A4
Groff, David H.	Injection Molding 2 (IM2)
Guilbe, Emilio J	A4
Hahn, Tyler G.	A4
Hamaker, Joseph	Industrial Automotive
Hansen, David	S1
Harron, Devin	A4
Hartline, Kevin	A4
Hawkins, Dale J.	Central Services
Hecker, Edward Andrew	A3
Heffelfinger, Dean	A2
Hepner, Alex	S1
Herrera-Warner, Elvin	A3
Hiryak, Dane	S1
Houptley, Matthew	A2
Huertas, Cintia	S1
Huyett, Justin M	A3
Isamoyer, Austin	A3
Jadion, Rosale	A3
Jerasa, Evan	Industrial (IND)

Name (Last, First)	Plant
Jones, Robin	A4
Jones, Timothy J.	Smelter
Kalin, Derik	Industrial (IND)
Keck, Brian	A2
Keller, Jason	S1
Kelly, Joseph	A4
Kerschner, Sean	A2
Klein, Andrew T.	A4
Kline, Randall	A4
Krick, Ryan	S1
Lahue, Miles	A4
Laky, Shawn F	A4
Landis, Judy	S1
Landis, Patrick	S1
Larkin, Tim	A4
Laurent, Jr., Bruce G.	Smelter
Lee, Aubrey	Central Services
Leone, Jeff	A4
Lopez-Ocasio, Frank R.	Smelter
Magrowski, Brittney	A4
Marks, Ryan	A4
Martinez, Diogris	A3
Martinez-Alamanza, Baltazar	A4
Maurer, Sr., Daryl	Industrial Automotive
McAndrew, Brittany	A4
Melander, James	Injection Molding 2 (IM2)
Meleta, Mark	A4
Mengel, Todd	A4
Mest, Joe	A2
Miles, Heather	A4
Miller, Chad Michael	A4
Miller, Jason	A2
Miller, Timothy	A4
Miller, Timothy David	A4
Miranda, Jose	A4
Mohrey, David	S1
Morales, Anthony	A3
Moran, Christopher	S1
Morgan, Brendan	A4
Mountz, Andrew	A4
Moyer, Jeremy	A4
Murphy, Glen J	Central Services
Nieves, Ricky	A3
Oaks, Adam	A4

Name (Last, First)	Plant
Ohlinger, Stewart E.	Injection Molding 1 (IM1)
Orozco, Angel	S1
Otterbein, Charles	A4
Pauley, Justin	Industrial (IND)
Pauley, Stacy	A2
Paulino, Ramona	S1
Phillips, Peter	S1
Purdy, Theresa	A3
Reid, Andre	Industrial Automotive
Reis, Dennis	Smelter
Reiss, Troy	A3
Remigio, Richard E	A4
Ricci, April	S1
Rivera, Ivette	Industrial Automotive
Rivera, Marybel	A4
Rizzuti, David A	A4
Rodriguez, Rodolfo A.	Smelter
Rohrbach, Aaron	Industrial Automotive
Rohrbach, Michael T.	Central Services
Rosario, Francisco A	A4
Rosario, Wellington	A4
Rothenberger, Tim	A4
Roudybush, Justin	Industrial Automotive
Ruiz, Tania	A4
Ruoss, Stephen	A2
Rutherford, Brent R	A4
Salamo-Luciano, Jesus	A4
Sanchez, Angel	A4
Sanchez, Elsa	A4
Santiago, Evelyn	S1
Schafer, Anna	S1
Schevarria-Cintron, Rodolfo	Central Services
Schlegel, Adam A.	A4
Schweitzer, Devin	A4
Schweitzer, Russell J	A4
Schwoyer, Craig	Industrial Automotive
Segundo-Suarez, Juana	Central Services
Sgaramella, Valerie A.	Smelter
Sivak, Frank	A3
Sleva, Matthew	S1
Slimmer, Richard	A2
Sneddon, Georgette M.	Industrial Automotive
Soler, Jonathan G	A4
Sparks, Thomas	A4

Name (Last, First)	Plant
Speece, Jonathon	S1
Stevens, Gary L	A4
Stoudt, Marc	S1
Strauss, Marla, I	A4
Stump, Ernest	S1
Sweimler, Brianna	A3
Tejada, Yaniel D	A4
Torre, Sr., Michael	Industrial (IND)
Torres-Guzman, Mineydi	Central Services
Turner, Chris	A4
Vargas, Joseph E.	Central Services
Wawrzynak, Brett	A4
Willard, Jonathan	S1
Wright, Vittorio	S1
Wynter, Lamara L	A4
Yankowsky, Joseph	A2
Yeastadt, Zachary	S1
Yuhasz, Shawn J.	A4
Zambrana-Andrade, Juan	A4
Zammi, Sr., Robert B.	A3

EPM Employees Who Use the Grace Period

Name (Last, First)	Plant
Adam, Timothy, L.	Central Services
Agelwei, Cindy	A2
Almonte, Maria M.	Injection Molding 2 (IM2)
Angstadt, Craig	Industrial Automotive
Arnold, Gregory	Smelter
Baret, Edwin	S1
Barthold, George	A3
Bogert, Sr., Brian C.	Oxide 2
Boyer, Jonathan	A1
Breidenstein, Phil	A2
Caraballo, Kathia	S1
Castro, Silvio	A2
Citron, Angel L.	Water Treatment
Clay, Aaron J	Central Services
Coello, Mayra	Injection Molding 2 (IM2)
Colon, Jr., Javen	Smelter
Colon, Nydia I.	Smelter
Concepcion-Abad, Carolina	A4
Dietrich, Colton N.	Injection Molding 1 (IM1)
Dietrich, Richard A	Central Services
Eckert, Dwayne L.	Central Services
Elliott, Jon	A1
Enriquez, Gustavo A.	Central Services
Fehnel, Bob	A1
Ferrer-Jimenez, Jose	Industrial (IND)
Fritsch, David	A1
Green, Robert	S1
Groff, David H.	Injection Molding 2 (IM2)
Hamaker, Joseph	Industrial Automotive
Hawkins, Dale J.	Central Services
Heffelfinger, Dean	A2
Houptley, Matthew	A2
Huertas, Cintia	S1
Keck, Brian	A2
Kerschner, Sean	A2
Laurent, Jr., Bruce G.	Smelter
Leone, Jeff	A4
Lopez-Ocasio, Frank R.	Smelter
Martinez, Diogris	A3
Melander, James	Injection Molding 2 (IM2)
Mest, Joe	A2
Miller, Jason	A2

Name (Last, First)	Plant
Mohrey, David	S1
Morales, Anthony	A3
Murphy, Glen J	Central Services
Pauley, Justin	Industrial (IND)
Pauley, Stacy	A2
Phillips, Peter	S1
Reis, Dennis	Smelter
Rodriguez, Rodolfo A.	Smelter
Rohrbach, Michael T.	Central Services
Rosario, Francisco A	A4
Roudybush, Justin	Industrial Automotive
Ruiz, Tania	A4
Ruoss, Stephen	A2
Salamo-Luciano, Jesus	A4
Schlegel, Adam A.	A4
Sgaramella, Valerie A.	Smelter
Sneddon, Georgette M.	Industrial Automotive
Sweimler, Brianna	A3
Yankowsky, Joseph	A2

EPM Employees Who Agree 10 Minutes is Sufficient and They Are Fully Compensated

Name (Last, First)	Plant
Acevedo, Lenin	A3
Acevedo, Louis	A2
Acevedo, Michael A	A4
Acosta-Pimental, Felix	Central Services
Adam, Timothy, L.	Central Services
Adams, Kevin	S1
Adams, Lyle	S1
Agelwei, Cindy	A2
Agosto, Jr., Pedro	S1
Agosto, Steven	A4
Aguasvivas, Tania	A4
Allen, Jonathan	S1
Allende, Victor	A3
Almonte, Rosa M.	Central Services
Alvarado-Salazar, Justin	A3
Amaro, Samuel	Industrial Automotive
Anavitate, Kevin	A4
Anderson, John	S1
Angstadt, Craig	Industrial Automotive
Angstadt, David Philip	A4
Arbogast, Wesley	A1
Arnold, Gregory	Smelter
Auker, Mahlon	A1
Aurand, Hunter	A3
Balazs, Laszlo	Industrial Automotive
Balliet, Bruce	Injection Molding 2 (IM2)
Balseiro, Joshua	A3
Barbosa, Josephyne	Industrial (IND)
Bari, Nicholas	Oxide 1
Barlet, Olivia	A3
Barreau, Sr., Jean	A4
Barthold, George	A3
Batista, Max	A3
Bauer, Mark A	A4
Beahn, Frank	Oxide 1
Becker, Steven	A4
Behm, Daniel	A4
Beitler, Wayne R.	Central Services
Bell, Tara	Industrial (IND)
Berger, Charles	S1
Berger, Janet	S1
Berges, Abraham	A2

Name (Last, First)	Plant
Bieber, David R.	Central Services
Bishop, Ryan	Multiple
Biswas, Musa	A3
Boehm, Jacob	S1
Bogert, Sr., Brian C.	Oxide 2
Bogosh, Reed	Industrial (IND)
Bossler, April	S1
Bower, Jason	A3
Bowlin, Brady	S1
Boyer, Barry L.	Central Services
Boyer, Jeremy D.	A3
Boyer, Jonathan	A1
Boyer, Todd	Central Services
Boyer, Troy	S1
Boyle, Ryan	A2
Breidenstein, Phil	A2
Brensinger, John R	Central Services
Brito, Christian	S1
Brossman, Eric	A3
Buchter, Jr., Ronald W	Multiple
Buck, Gary	A2
Burgos, Ivan	A3
Burgos, Johnlee	S1
Burgos-Figueroa, Dominique Jose	A4
Burkert, Keith	S1
Busch, Jason M.	Industrial Automotive
Butler, Shawn	A2
Buzinski, David	Industrial (IND)
Caballero, Daniel	A4
Camps, Ashley	Central Services
Canals-Ortiz, Kevin	A4
Caraballo, Kathia	S1
Cassel, Adam	S1
Castillo, Yokarina	A2
Castro, Silvio	A2
Ceballos, Ricardo	S1
Cespedes, Dionisio	A3
Cespedes-Vilchez, Victor	S1
Chattin, Sue	Multiple
Christman, Ellen	A1
Christman, Neal	A1
Chubb, Jason	S1
Clifford, Justin	A1
Coello, Mayra	Injection Molding 2 (IM2)

Name (Last, First)	Plant
Colon, Hector	S1
Colon, Jr., Javen	Smelter
Colon, Nydia I.	Smelter
Concepcion-Abad, Carolina	A4
Connor, Jr., Royce B.	A4
Conrath, Scott	A2
Contsicos, Demetrius	S1
Cooper, Eugene	Industrial (IND)
Cooper, Tanya L	A4
Corona, Jason	S1
Cotto-Ramos, Orlando	A3
Covatta, Adam	Industrial Automotive
Cramsey, David	S1
Crutcher, Sheila	A4
Cruz, Hector	S1
Cruz, Jazzlynn	A2
Cruz, Joseph	A1
Cruz, Rolando	A4
Damiani, Lissette	A4
Davis, Dennis R	A3
Davis, Scott V	Industrial Automotive
Degler, Bryan	S1
Del Valle, Madeline	S1
DeLaCruz, Marleni	A3
DeLong, Dylan	S1
DeLong, Kimberly A.	Central Services
DeLong, Matthew W.	Central Services
Delp, Ryan	A2
Delvin III, Howard	A1
Dengler, Shawn	S1
Derr, Brian	A1
Dewald, Chris	Industrial Automotive
Diaz, Eric	Injection Molding 1 (IM1)
Diaz, Felipe	A1
DiBenedetto, Michael	Industrial (IND)
Dietrich, Colton N.	Injection Molding 1 (IM1)
Dietrich, Richard A	Central Services
Dill, Sean	A3
Diltz, Christine	A3
Ditin, Jan Carlo	Oxide 1
Dixon, III, Jesse E.	A4
Dolan, Daniel	A1
Domanski, Anthony	A1
Donton, Jimmy	S1

Name (Last, First)	Plant
Eaddy, Romeo	Industrial (IND)
Ebling, Jennifer	Multiple
Ebling, Melinda	Industrial Automotive
Eckert, Dwayne L.	Central Services
Edge, David	S1
Elliott, Christina	Industrial Automotive
Elliott, Jon	A1
Enriquez, Gustavo A.	Central Services
Epler, Justin A.	Unknown
Eppler, Christopher	A3
Erb, Clay Jordan	A4
Ernst, Clifford	S1
Esposito, Chad N.	A4
Esslinger, Matthew	Industrial Automotive
Estevez, Malwin	A4
Estremera, Emily L	A4
Evans, Chris	Oxide 1
Farley, Jr., Eugene D	A4
Farrar, Christopher	Multiple
Faust, Daniel	Industrial Automotive
Fegely, David	Industrial (IND)
Fehnel, Bob	A1
Felix, Elington	A4
Fenstermaker, Cory	A1
Fenstermaker, Eric	S1
Fernandez, Jose	S1
Fernandez-Tejada, Yorby	A3
Ferrer-Jimenez, Jose	Industrial (IND)
Fidler, Bradley	A1
Figueroa, Cristino	S1
Figueroa, Theresa	A3
Fisher, Kevin	A1
Flamish, Robin B.	Central Services
Flexer, Bradley	Multiple
Flicker, Cristin	Industrial Automotive
Fonseca-Rivera, Jr., Alejandro Emmanuel	A4
Foose, Jr., Robert	Industrial Automotive
Frain, Cody	A3
Franco-Molina, Roi	Oxide 1
Frantz, Lloyd	A2
Frias, Dary Esther	A4
Fricker, Jonathan	A3
Fritsch, David	A1
Frymoyer, David	A4

Name (Last, First)	Plant
Gaddis, James	S1
Gambler, Billy	A4
Gangawere, Andrew	S1
Garcia, Daniel	Industrial Automotive
Garcia, Emanuel	A3
Garvine-Hilton, Jr., Michael	A1
Gawrich, Sr., Charles	A3
Gehres, Darren	A3
Gehringer, Eric	A3
George, Dakota	A3
Gephart, Sr., Robert	S1
Gernert, Debra	Industrial Automotive
Gilmer, Jesse	A3
Godfrey, Alex	A3
Gomez, Marcelo	S1
Gonzalez, Gary	S1
Gonzalez, Luis	A3
Gottshall, Eric	A1
Graham, Nevin	Industrial Automotive
Grainger, Carlene	A3
Green, Brian A.	Smelter
Green, Robert	S1
Greenawalt, Kevin L.	A4
Greene, Nicholas	A3
Greenwood, Jan	Injection Molding 2 (IM2)
Grim, Matthew, F.	A4
Gring, Shawn	A3
Groff, Tammy	Multiple
Guarino, Mike	S1
Guest, Derek	A3
Guilbe, Emilio J	A4
Guiles, Zachary	A3
Guzman-Escribano, Michelle	Central Services
Hafer, Drew	A4
Hahn, Tyler G.	A4
Hallman, Mark	Oxide 1
Hamaker, Joseph	Industrial Automotive
Hanley, Jessica	S1
Hannibal-Nixon, Sheldon	S1
Hansen, David	S1
Harris, Stevi N	Industrial Automotive
Harron, Devin	A4
Hartline, Kevin	A4
Hartman, Bruce	A2

Name (Last, First)	Plant
Hauck, Chris	Oxide 1
Hausman, Cory L	Industrial Automotive
Hawkins, Dale J.	Central Services
Hecker, Edward Andrew	A3
Heffelfinger, Dean	A2
Hehnly, Brian	A1
Heinemann, Keith	A2
Heller, Jeffrey	A3
Henn, Stephanie	S1
Hepner, Alex	S1
Herbein, Bradley S.	Central Services
Heredia, Marlyn	A4
Herflicker, Jonathan	A4
Herman, George	S1
Hernandez, Arnulfo	A3
Hernandez, Elisbel	Industrial (IND)
Hernandez, Luis	Central Services
Hernandez, Salvador	Oxide 1
Herrera-Warner, Elvin	A3
Hertzog, Jeremy	A3
Hess, Kyle	A4
Hetzer, Curtis	S1
Hilbert, Timothy	S1
Hildenbrand, Kevin	S1
Hinnershitz, Jayme	S1
Hinojosa, Oscar	A3
Hiryak, Dane	S1
Hoffman, Mason	A4
Houck, Randolph C.	A4
Houptley, Matthew	A2
Hricik, Cory	S1
Huertas, Cintia	S1
Hughes, Sr., Kenneth	A1
Hummel, Katelyn	A3
Hunsicker, Dennis	A4
Huyett, Justin M	A3
Isamoyer, Austin	A3
Isardat, Anil	A4
Jackson, Asya	A2
Jackson, Vincent	Industrial (IND)
Jadion, Rosale	A3
Jaromnak, Michael	Industrial (IND)
Jenne, Duane	A1
Jerasa, Evan	Industrial (IND)

Name (Last, First)	Plant
Jiminian, Genesis	A3
Joga, Elvert	A2
John, James	S1
Jones, Michael	A3
Jones, Robin	A4
Jones, Timothy J.	Smelter
Juntunen, Joseph R.	Industrial Automotive
Kachmar, Stephen	Unknown
Kalin, Derik	Industrial (IND)
Kanavins, Derek	S1
Kauffman, Jeffrey	A1
Keck, Brian	A2
Keck, Mary	Industrial (IND)
Kehm, Justin W.	A4
Keller, Jason	S1
Kelly, Joseph	A4
Kemner, Jonathan	S1
Kerschner, Sean	A2
King, Marvin	A1
Klein, Andrew T.	A4
Klemm, Anita	A4
Kline, Randall	A4
Kline, Tiffany	A3
Kohler, Jeffrey	Oxide 1
Kopicz, Lisa	A4
Kramer, Derek	A4
Krantz, Dale	A1
Kressley, George	S1
Krick, Ryan	S1
Kriner, Alex	A2
Kunkel, Brian	A1
Kunkleman, Peter	A2
Kunkleman, Russell	S1
Kutz, Christopher	Oxide 2
Lahue, Miles	A4
Laky, Shawn F	A4
Landis, Judy	S1
Landis, Patrick	S1
Lane, Bradley	A1
Lapp, Kevin	A1
Lara, Liborio	S1
Laurent, Jr., Bruce G.	Smelter
Lawhorne, Kyle	S1
LeBlanc, James	Smelter

Name (Last, First)	Plant
Lee, Aubrey	Central Services
Leija, Jesus	S1
Lengel, Cody	A2
Lenhardt, Mark	A3
Lenhart III, Charles	Oxide 1
Leone, Jeff	A4
Lerch, Jennifer	A4
Lesagonicz, Ryan	A1
Lichtenwalner, David	Central Services
Lichtenwalner, Preston	S1
Llanos, Noel	A1
Long, Kim	Industrial Automotive
Lopez, Juan	A2
Lopez, Odaneurkys Pimentel	Oxide 1
Lopez-Ocasio, Frank R.	Smelter
Lopez-Tejada, Bryan	A2
Lorah, Edgar	Industrial (IND)
Lorenzo-Castillo, Andrely	A1
Lutz, Timothy	Industrial Automotive
Magrowski, Brittney	A4
Maldonado, Victoria	A4
Malone, Dominic	A3
Mancuso, Angela	Industrial Automotive
Manley, Matthew	A1
Mansaray, Samba	Central Services
Mantz, Michael	S1
Marks, Ryan	A4
Martinez, Diogris	A3
Martinez, Elvis	A1
Martinez, Jeffrey	A4
Martinez, Marvin	A3
Martinez, Pedro	A3
Martinez-Alamanza, Baltazar	A4
Mathias, Dwayne	Oxide 1
Maurer, Sr., Daryl	Industrial Automotive
Mayo, Stephen	S1
McAndrew, Brittany	A4
McCoy, James	S1
Meckel, Steven	A1
Meckes, Allen	A3
Medero, Christopher	A4
Melendez, Jose	A1
Meleta, Mark	A4
Mendez, Floracio	A3

Name (Last, First)	Plant
Mengel, Jr., Richard	A3
Mengel, Todd	A4
Merkel, Matthew	A1
Mertz, Cody	A3
Mest, Joe	A2
Meyers, Mike	S1
Mierzejewski, Robbie	Industrial (IND)
Miles, Heather	A4
Miller, Chad Michael	A4
Miller, Clayton	A3
Miller, Gregory	A3
Miller, Jason	A2
Miller, Scott	A1
Miller, Timothy	A4
Miller, Timothy David	A4
Millington, Christopher	A3
Miranda, Jose	A4
Mohrey, David	S1
Molina, Moses	S1
Monroe, Christopher	A1
Montes, Arturo	A4
Montilla, Carmen	S1
Morales, Anthony	A3
Moran, Christopher	S1
Moreno, Rosa E.	Central Services
Morgan, Brendan	A4
Morris, Promise A	Industrial Automotive
Mountz, Andrew	A4
Moyer, Jeremy	A4
Mullen, James A.	Injection Molding 1 (IM1)
Munroe, Stephan	S1
Murphy, Carol	A4
Murphy, Glen J	Central Services
Navarro, Travis	A3
Neidermyer, Evan	A4
Neidermyer, Jeffrey	S1
Newton, James	S1
Niethammer, Ryan	S1
Nieves, Matthew	A2
Nieves, Ricky	A3
Nina, Hector	A2
Nunez, Marisella	Industrial Automotive
Oaks, Adam	A4
Ohlinger, Stewart E.	Injection Molding 1 (IM1)

Name (Last, First)	Plant
Orozco, Angel	S1
Ortiz, Anthony	A4
Ortiz-Merced, Jainisse	S1
Ortiz-Santos, Luis	S1
Otterbein, Charles	A4
Pacheco, Jose	S1
Pacura, Bohdan	A3
Parsons, Gage	S1
Paul, James	A3
Paula, Fulvio	A3
Pauley, Jr., Charles	A1
Pauley, Justin	Industrial (IND)
Pauley, Stacy	A2
Paulino, Kenia D.	A3
Paulino, Ramona	S1
Peek, David	A2
Perez, Kyle	A3
Perez, Zachary	A3
Pflueger, William	S1
Phile, Mark	A1
Philhower, Eric	A3
Phillips, Glenn J.	Central Services
Phillips, Peter	S1
Pittman, Kelli A	A4
Pizano, Juan	A1
Porter, Thomas	Industrial Automotive
Purdy, Theresa	A3
Quell, David	Multiple
Quezada, Carlos	A4
Quinter, Susan	Injection Molding 2 (IM2)
Ramirez, Estervin A	Industrial Automotive
Ramirez, Jr., Jorge	Oxide 1
Ramirez, Luis	A3
Ramirez, Luis	S1
Ramos, Edward	S1
Ramos, Luis	A3
Ray, Marc	A3
Rayburn, Karen	S1
Rea, Chad	A3
Reichard, Jarrett	Injection Molding 2 (IM2)
Reid, Andre	Industrial Automotive
Reinert, Andrew	A1
Reinert, Kevin	A3
Reis, Dennis	Smelter

Name (Last, First)	Plant
Reiseg, Kendra	A4
Reiss, Troy	A3
Reitnauer, Christopher P.	A4
Remigio, Richard E	A4
Reyes, Angel	A3
Reyes, Ramon	A3
Reyes, Raul	A3
Reyes, Teodoro M.	Central Services
Reyes-Sierra, Misael A.	A4
Rhodes, Devon	A4
Ricci, April	S1
Richuitti, Louis	Industrial Automotive
Rios, Luis	S1
Rissmiller, Gerald	A3
Rivera, Edgardo	A3
Rivera, Ivette	Industrial Automotive
Rivera, Jose	A3
Rivera, Marybel	A4
Rivera, Osvaldo	A1
Rivera, Sapphire S.	A3
Rivera, Sergio	S1
Rizzuti, David A	A4
Roberts, Jarvis	A4
Rodolff, Brett	A2
Rodriguez, Angel	A3
Rodriguez, Angel	S1
Rodriguez, Claudio	A3
Rodriguez, Ivan	A3
Rodriguez, Johnny	A3
Rodriguez, Pedro	S1
Rodriguez, Rodolfo A.	Smelter
Rodriguez-Acevedo, Jeney	Central Services
Rodriguez-Zigeler, Wanda	S1
Rogers, Fabiola	A3
Rohrbach, Aaron	Industrial Automotive
Rohrbach, Jeffrey	S1
Rohrbach, Michael T.	Central Services
Rojas, Jesus	S1
Rondon, Jampier	A3
Rosario, Francisco A	A4
Rosario, Jr., Javier	S1
Rosario, Wellington	A4
Rossignoli, Nicholas	S1
Rothenberger, Tim	A4

Name (Last, First)	Plant
Rothermel, Hunter	S1
Roudybush, Justin	Industrial Automotive
Ruiz, Jr., Norberto	Multiple
Ruiz, Ricardo	A3
Ruiz, Tania	A4
Ruoss, Stephen	A2
Rusk, Michael	A3
Ruth, William	A1
Rutherford, Brent R	A4
Sadeque, MD	S1
Salamo-Luciano, Jesus	A4
Salas, Augusto M.	A3
Salas-Lopez, Orlando	S1
Sallada, Gayle	Unknown
Sanchez, Angel	A4
Sanchez, Elsa	A4
Sanchez, Francisco	Unknown
Sandoval, Celina	A1
Santana, Kiommy	A2
Santana, Rafael	A2
Santiago, Evelyn	S1
Santiago, Robinson A	A4
Santos, Juan	A1
Sauder, Melanie	A2
Savage, Nevin	S1
Savant, James	A3
Sayer, Charles	A1
Schaeffer, Dan	S1
Schaeffer, Earl	A3
Schafer, Anna	S1
Schauer, Michael	S1
Schell, Jeffrey	A3
Schevarria-Cintrón, Rodolfo	Central Services
Schlegel, Adam A.	A4
Schnorrbusch, Wayne	S1
Schrader, Debra	A3
Schrier, Brian	A1
Schweitzer, Devin	A4
Schweitzer, Russell J	A4
Schwoyer, Craig	Industrial Automotive
Segundo-Suarez, Juana	Central Services
Seifrit, Davina	A1
Selecky, Gary	S1
Serrano, Jr., Juan C.	A4

Name (Last, First)	Plant
Shafer, Heather L.	Smelter
Sheridan, Malcolm	S1
Shindel, Scott	A3
Shomper, Lori	Industrial (IND)
Siegfried, Dale	S1
Sims, Steve	A4
Sivak, Frank	A3
Skipper, Shane	A4
Skwait, Gloria	S1
Sleva, Matthew	S1
Slimmer, Richard	A2
Slonaker, Donavan	S1
Slonaker, John	S1
Smith, Cody	S1
Smith, Joseph	A1
Smith, Kevin	A1
Smith, Raymond	A3
Soler, Jonathan G	A4
Soto, Jr., Angel	A3
Spaar, Dennis	A1
Sparks, Thomas	A4
Sparr, Janice	A3
Speece, Jonathon	S1
Stankiewicz, Jason	A4
Steffy, Logan	S1
Steigerwalt, Sr., Leon	S1
Stein, Carter	S1
Stein, Jr., Fredrick	A1
Stern, Damon	A3
Stetzler, Tighe	A1
Stevens, Gary L	A4
Stewart, Tim	A3
Stitzel, Randy	A3
Stolfi, Christopher	Industrial Automotive
Stoudt, Marc	S1
Strause, Rebecca	A3
Strauss, Marla, I	A4
Strausser, Troy G.	A4
Stuber, Eric	Industrial Automotive
Stump, Ernest	S1
Stump, Willis	A2
Sullivan, Kenneth	Oxide 1
Sweimler, Brianna	A3
Sweitzer, Donna	S1

Name (Last, First)	Plant
Swolensky, Paul	A3
Taddei, Jr., Francis	S1
Tavarez, Jeffrey	S1
Taylor, Stephanie	Industrial Automotive
Tejada, Yaniel D	A4
Tenorio, Alonzo	A3
Terplain, Alexander	A3
Thompson, Desiree	Industrial Automotive
Thrash, Andrew	S1
Torre, Sr., Michael	Industrial (IND)
Torres, Daniel	A3
Torres, Gerardo	S1
Torres-Guzman, Mineydi	Central Services
Trevino, Justin	S1
Trivic, Goran	Injection Molding 2 (IM2)
Turner, Chris	A4
Tyrrell, Michael	Industrial Automotive
Vanderpool, Francis J.	Smelter
Vargas, Joseph E.	Central Services
Vargas, Mariah	S1
Velazquez, Roger	S1
Velez, Francis Ulerio	Smelter
Velez, Pedro	A2
Velez, Victor	A3
Venning, Brent	S1
Ventura, Bierca	A2
Vizcaino, Tomas A	A4
Von Haack, Joshua	A3
Wasilko, Matthew	S1
Wawrzynak, Brett	A4
Weil, Wayne R.	Industrial Automotive
Weiss, Stephen	A2
Weller, David	S1
Wentzel, Todd	A1
Wertman, Beth Ann	Smelter
Wetzel, Lori J	A4
White, Andrew	Smelter
White, Shane	S1
Willard, Jonathan	S1
Williams, Mark	S1
Wink, Shawn	Industrial (IND)
Witman, Jeanne E	Industrial Automotive
Wittman, Chris A	Central Services
Wright, Vittorio	S1

Name (Last, First)	Plant
Wynter, Lamara L	A4
Yankowsky, Joseph	A2
Yaros, Robert M.	Smelter
Yashur, Joseph	Transload
Yashur, Trevor	S1
Yeastadt, Zachary	S1
Yeboah, Eric	S1
Yelles, Melissa	S1
Yelles, Richard	Industrial Automotive
Yenser, Craig	A1
Yob, Mark T	A4
Yunker, Bradley	A3
Yuhasz, Shawn J.	A4
Zambrana-Andrade, Juan	A4
Zammi, Sr., Robert B.	A3
Zamudio, Magdalena A.	Central Services
Zapata, Gilberto	S1
Zavala-Gutierrez, Maria P	A4
Zechman, Brandin	A2
Zelinsky, Joseph	A3
Zieckler, Jeffrey K.	A3
Zimmerman, Tammy M	A3
Zumas, Michael	Multiple

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

Case No. 5:18-cv-01194-GEKP

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

DECLARATION OF LENIN ACEVEDO

1. My name is Lenin Acevedo. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since November of 2010. My current position is Raw Fill at the A3 Plant. I have worked in this position since August of 2017. I previously worked as a Raw Fill at the A4 Plant. I worked in this position from February of 2017 through August of 2017. I previously worked as a Raw Fill at the A2 Plant. I worked in this position from February of 2012 through February of 2017.

3. As a Raw Fill, I am responsible for filling batteries with acid and putting them on the rack.

4. I work the first shift. I work Monday through Friday. I am paid \$19.10 / hour and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-001

exhibitsticker.com

5. As a Raw Fill, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Face Shield. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs, and Face Shield at my work station.

6. I usually arrive to the A3 Plant at 6:08 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:15 p.m. I am allowed to leave the floor at 2:20 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.


LENIN ACEVEDO

5. As a Pasting Leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves (multiple varieties); Respirator; Hard Hat; Face Shield; and Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on other forms of my PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant at 9:15 PM. Once I arrive, I clock in immediately and then change my clothes. Afterwards, I walk to my workstation in the Pasting Department and begin work.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots and walk to my work station. I put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at 6:05 AM. I then leave the floor at 6:05 AM and walk to the locker room.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2019 in Lyon Station, Pennsylvania.



LOUIS ACEVEDO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MICHAEL A. ACEVEDO

1. My name is Michael A. Acevedo. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since February of 2010. My current position is battery hook up at the A4 Plant. I have worked in this position since November of 2014. I previously worked as a C.O.S material handler at the S1 Plant. I worked in this position from September of 2012 through November of 2014.

3. As a battery hook up, I am responsible for hooking up the batteries for charging.

4. I work the second shift. I work Monday through Friday. I am paid \$19.95/hr. and line bonuses. I work overtime when mandatory and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a battery hook up, I wear the following personal protective equipment:
Uniform; Safety Glasses; Rubber Steel-Toe Boots; Latex and Rubber Gloves; Ear Plugs; and

Ex. 1002-003

Face Shield as required. I put on my Uniform and Rubber Steel-Toe Boots in the locker room. I put on my Safety Glasses and Latex Gloves while walking from the locker room to my work station. I put on my Rubber Gloves; Ear Plugs; and Face Shield at my work station.

6. I usually arrive to the A4 Plant at 2:50 PM. Once I arrive I clock in, put my lunch in the lunch room, get my uniform from my uniform locker, go to locker room to change from my street clothes into my uniform and rubber steel-toe boots, and go to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and rubber steel-toe boots providing that the access to my locker is clear. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:35 PM. I am allowed to leave the floor at 10:45 PM.

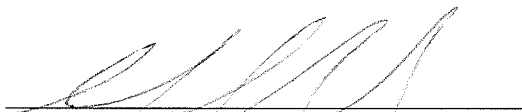
9. Once I leave the floor, I perform the following activities: go to the locker room, get a towel, go to my personal locker, change out of my uniform, take a shower, change into my street clothes, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities providing that the access to my locker is clear.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.



Michael A. Acevedo

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF FELIX ACOSTA-PIMENTAL

1. My name is Felix Acosta-Pimental. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since March of 2019. My current position is in the laundry at the Central Services Plant.

3. As a person who works in the Laundry at Central Services Plant, I am responsible for washing, drying and folding uniforms and towels.

4. I work the third shift. I work Monday through Friday. I am paid \$18.85 per hour and I receive time and a half pay for all hours worked over forty hours in a workweek.

5. As a person who works in the Laundry at Central Services Plant, I wear the following personal protective equipment: Uniform, Steel-Toe Boots, Safety Glasses and Gloves as needed. I put on my Uniform, Steel-Toe Boots, Safety Glasses and Gloves in the locker room.

Ex. 1002-004

exhibitsticker.com

6. I usually arrive to the Central Services Plant at 10:40p.m. Once I arrive I Punch in, then I get my uniform and go to my personal locker. I then change into my Uniform, Steel-Toe Boots, Safety Glasses and Gloves. I then go to the Laundry room.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots, Safety Glasses and Gloves, and walk to the laundry.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:15a.m. I am allowed to leave the floor at 6:50a.m.


10. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. §.1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12 day of Abril, 2019 in Lyon Station, Pennsylvania.



Schevarria-Cintron

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF TIMOTHY L. ADAM

1. My name is Timothy L. Adam. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since June of 2002. My current position is Assistant Plant Manager at the Central Services Plant. I have worked in this position since January of 2017. I previously worked as a Foreperson Electrical at the Central Services Plant. I worked in this position from January of 2008 through January of 2017.

3. As a Foreperson Electrical, I was responsible for overseeing, training, and planning all work for the electrical department.

4. As a Foreperson Electrical, I worked the First shift. I worked Monday through Friday. I was paid approximately \$25 per hour and I received time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-005

exhibitsticker.com

5. As a Foreperson Electrical, I wore the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves (when required); Ear Plugs (when required); Hard Hat (when required); Face Shield (when required); Balaclava (when required); Rubber Sleeves (when required); Rubber Gloves (when required); Arc Rated Suit (when required). I put on my uniform, boots and safety glasses in the locker room. I put on my Gloves (when required); Ear Plugs (when required); Hard Hat (when required); Face Shield (when required); Balaclava (when required); Rubber Sleeves (when required); Rubber Gloves (when required); Arc Rated Suit (when required) at my work station.

6. As a Foreperson Electrical, I usually arrived to the Central Services Plant at 5:15 am. Once I arrived I would punch in, go to the lunch room, put my lunch box on the shelf, go to my uniform clothes locker, get a clean uniform, go to the locker room, go to my personal locker, change my clothes, and then go to my workstation.

7. As a Foreperson Electrical, it usually took me five minutes to change into my uniform, safety glasses and boots. It usually took me one minute to walk from the locker room to my workstation. I put on my other PPE at my workstation at the start of my worktime.

8. As a Foreperson Electrical, there was a five minute grace period after my shift started to report to my work station. I occasionally used this grace period to report to my workstation.

9. As a Foreperson Electrical, I usually stopped work at my work station at 3:20 pm. I was allowed to leave the floor at 3:20 pm.

10. As a Foreperson Electrical, once I left the floor I would perform the following activities: go to the locker room, remove my work clothes, shower, go back to my personal locker, put on my street clothes, put my work clothes in the dirty bins, go to the lunch room, get

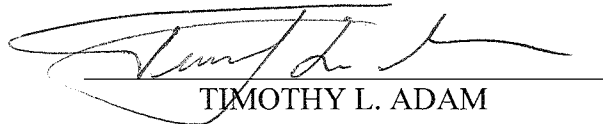
my lunch box, go to the time clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April, 2019 in Lyon Station, Pennsylvania.


TIMOTHY L. ADAM

safety shoes in the locker room. I put my safety glasses on as I am walking onto the floor. I put on my gloves, face shield and earplugs at my work station.

7. I usually arrive to the S1 Plant at 6:35am. Once I arrive I punch in, grab my uniform get changed, and head to the floor.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 2:25pm. I am allowed to leave the floor at 2:35pm.

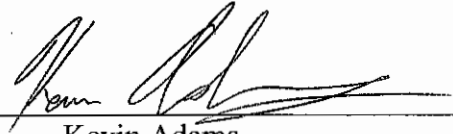
10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March 2019 in Lyon Station, Pennsylvania.



Kevin Adams

5. As a Plate Prep Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Respirator. I put on my uniform and safety shoes in the locker room. I put on my safety glasses and get my respirator while walking from the locker room to my work station. I put on my gloves and ear plugs at my work station.

6. I usually arrive to the S1 Plant at 6:28. Once I arrive I go get my uniform from my uniform locker, punch in for work and go get changed. After I am finished changing, I go to the plant floor.

7. It usually takes me 3 minutes to change into my uniform. After I have changed into my uniform, I walk to the plant floor and that takes me another 3 minutes.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:20pm and we have 15 minutes to clean up. I am allowed to leave the floor at 2:35pm.

10. After my shift ends, I usually go to the locker room, shower, change into my street clothes, punch out and go home.

11. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


12. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

13. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March, 2019 in Lyon Station, Pennsylvania.


Lyle Adams

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF CINDY AGELWEI

1. My name is Cindy Agelwei. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since January 2009. My current position is quality assurance at the A2 Plant. I have worked in this position since January 2019. I previously worked as a quality assurance at the A4 Plant. I worked in this position from March 2014 through January 2019.

3. As a worker in quality assurance, I am responsible for making sure the product we make meets the East Penn and customer manufacturing specs.

4. I work the first shift. I work Monday through Friday. I am paid \$22.55/hr. and I receive time and a half pay for all hours worked over forty in a work week.

5. As a worker in quality assurance, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves as needed; Ear Plugs; Face Shield; and Respirator as needed. I put on my Uniform and Boots in the locker room. I put on my Safety

Ex. 1002-008

Glasses while walking from the locker room to my work station. I put on my Ear Plugs; Face Shield (as needed); Gloves (as needed); and Respirator (as needed) at my work station.

6. I usually arrive to the A2 Plant at 5:30 a.m. Once I arrive I put on my uniform, go to the break room and eat, punch in, head back to my locker, then head out to the floor.

7. It usually takes me 5 minutes to change into my uniform and boots and about 2 to 3 minutes to walk to my workstation from clocking in, while stopping at my locker. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my work station.

9. I usually stop work at my work station at 1:55 p.m., and lock my drawer, hang my hoodie, and check with the other QA before leaving. I am allowed to leave the floor at 2:00 p.m.

10. Once I leave the floor, I perform the following activities: get to my locker, remove my uniform and boots, grab shower items and a towel and head to the showers, drop off my dirty clothes and towels, change into my regular clothing, clock out, and leave. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, reading "Cindy Agelwei". The signature is written in black ink and is positioned above a horizontal line.

Cindy Agelwei

Ex. 1002-009

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF PEDRO AGOSTO JR

1. My name is Pedro Agosto Jr. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November 2012. My current position is Maintenance Mechanic at the S1 Plant. I have worked as a Maintenance Mechanic since November of 2012.

3. As a Mechanic, I am responsible for getting work orders and repairing equipment, applying minor repairs to equipment when necessary to not slow production and perform preventive maintenance.

4. I work the second shift. I work Monday through Friday.

5. I am paid \$25.95/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Maintenance Mechanic, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves, Respirator as needed, and Earplugs, Apron as needed, Face Shield as necessary, and Hard Hat as necessary. I put on my uniform, safety shoes

and safety glasses in the locker room. I put on my gloves, respirator, earplugs, apron, face shield, and hard hat at my work station station.

7. I usually arrive to the S1 Plant at 1:45pm. Once I arrive I grab my uniform, change into my uniform, go to lunchroom and read the paper or phone, clock in, and then head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minute to walk to my workstation.

9. I usually stop work at my work station at 10:00pm. I am allowed to leave the floor at 10:20pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March 2019 in Lyon Station, Pennsylvania.


Pedro Agosto

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF STEVEN AGOSTO

1. My name is Steven Agosto. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April 2017. My current position is Pasting Machine Operator at the A4 Plant. I have worked in this position since April of 2017. I previously worked as a COA enveloper at the A1 Plant. I worked in this position from September of 2014 through October of 2016. I previously worked as a Pasting Takeoff at the A1 Plant. I worked in this position from July of 2012 through September of 2014.

3. As a Pasting Machine Operator, I am responsible for make sure the product has paper, that that is pasted cut correctly and make sure everything is to specifications.

4. I work the second shift. My shift begins at 1:45 p.m. and shift end time is 10 p.m. I am paid \$20.00 per hour, with line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-010

5. As a Pasting Machine Operator, I wear the following personal protective equipment: a Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield during wash-downs; Respirator. I put on my a Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; in the locker room. I put on my Face Shield during wash-downs and Respirator as needed at my work station.

6. I usually arrive to the A4 Plant at 1:25 p.m. Once I arrive I check in at 1:31 p.m. I check in, go to the locker room, put on Uniform and PPE and use the restroom use the restroom if necessary and then go to the work station.

7. I usually scan my time card to clock in at 1:31.

8. It usually takes me 3 to 5 minutes to change into my uniform and other equipment.

9. I usually arrive at my work station at 1:40 p.m. There is a five minute grace period after my shift starts to report to my workstation.

10. I usually stop work at my work station at 9:45 p.m. Then, I clean up my work station. I am allowed to leave the floor at 9:50 p.m.

11. It usually takes me 3 to 5 minutes to walk to the locker room and change out of my uniform.

12. It usually takes me 5 minutes to shower at the end of my shift.

13. After my shift ends, I usually clock out and go home. I do not have to wait to clock out.

14. I usually scan my time card to clock out at 10:01.

15. I usually leave the A4 Plant parking lot at 10:10 p.m.

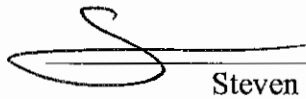
16. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

17. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

18. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of March, 2019 in Lyon Station, Pennsylvania.


Steven Agosto

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

Case No. 5:18-cv-01194-GEKP

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

DECLARATION OF TANIA AGUASVIVAS

1. My name is Tania Aguasvivas. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 2017. My current position is warehouse material handler at the A4 Plant. I have worked in this position since August 2017.

3. As a warehouse material handler, I am responsible for providing items to the production lines, as requested.

4. I work the second shift. I work Monday through Friday. I am paid \$20.75/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a warehouse material handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Hard Hat. I put on my Uniform and Boots in the locker room. I put on my Safety Glasses when I get to the work floor. I put on my Gloves and Hard Hat at my work station.

Ex. 1002-011

exhibitsticker.com

6. I usually arrive to the A4 Plant at 2:00 p.m. Once I arrive I get my uniform, go to the locker room and change into my uniform, clock in, go back to my locker and put my ID card in my locker, then go to the work floor.

7. It usually takes me 3 minutes to change into my uniform and 1 minute to walk from my locker to my workstation. I can put on my other PPE while walking to my workstation or at my workstation, as needed.

8. I usually stop work at my work station at 10:15 p.m., and put away my work supplies. I am allowed to leave the floor at 10:17 p.m.

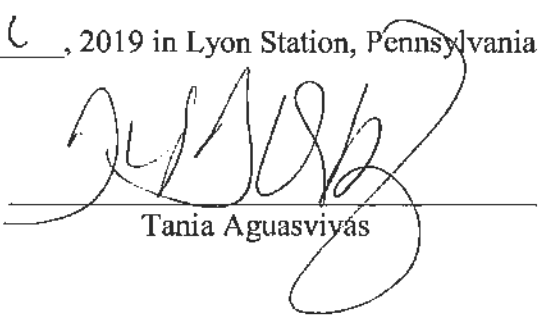
9. Once I leave the floor, I perform the following activities: I wash my hands, go to my locker, take off my boots, put on my flip-flops, get my shower supplies and towel, go to the shower, change into my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of APRIL, 2019 in Lyon Station, Pennsylvania.



Tania Aguasvivas

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JONATHAN ALLEN

1. My name is Jonathan Allen. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company October of 2005. My current position is Plant-To-Plant Material Handler in the S-1 Plant. I have held this position for thirteen years, or since 2006. As a Plant-To-Plant Material Handler, I operate box trucks, tow motors and “Walkie Riders,” transporting various kinds of materials between multiple plants within the Company’s Lyon Station facility. These materials include, by way of example, scrap pallets, battery covers, and recyclable cardboard and plastic boxes.

3. I work the third shift, Monday through Friday. I am paid approximately \$20.95/hr., including shift differential exclusive. I receive time and a half pay for all hours worked over forty in a workweek.

4. As a Plant-To-Plant Material Handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Gloves (various types); Hard Hat; Respirator; Ear Plugs and Steel-Toe Boots. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. The other elements of my PPE I put on, as necessary, in the various plants where I deliver material.

5. I usually arrive to the S-1 Plant at 10:15 PM. I first gather my uniform and my boots, clock in and then change my clothes. Afterward, I walk directly to the S-1 loading dock to get my work assignments from a supervisor.

6. It usually takes me about 5 minutes to change into my uniform, safety glasses and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

7. I usually stop work at my work station at 6:15 AM, at which time I spend 5 minutes stowing my bar code scan gun at the S-1 loading dock and, if necessary, speaking to my supervisor. Then, I head to the S-1 locker room at 6:20 AM.

8. Once I leave the loading dock, I perform the following activities: walk to the locker room, remove my uniform, shower, dress in my street clothes, and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

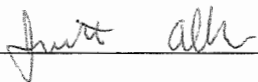
9. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

10. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Jonathan Allen", is written over a horizontal line.

JONATHAN ALLEN

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

Case No. 5:18-cv-01194-GEKP

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

DECLARATION OF VICTOR ALLENDE

1. My name is Victor Allende. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since October of 2014. My current position is Paste Machine Operator at the A3 Plant. I have worked in this position since July of 2018. I previously worked as a Floater at the A3 Plant. I worked in this position from April of 2016 through July of 2018. I previously worked as a Pasting Takeoff at the A3 Plant. I worked in this position from October of 2014 through April of 2016.

3. As a Paste Machine Operator, I am responsible for assisting the line by changing coils, papers, and other adjusting as needed.

4. I work the second shift. I work Monday through Friday. I am paid \$19.75 / hour and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-013

5. As a Paste Machine Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Respirator, depending on the task; and Hard Hat, when operating the stack truck. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective gear at my work station.

6. I usually arrive to the A3 Plant at 2:45 p.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me four minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:45 p.m. I am allowed to leave the floor at 10:49 p.m.

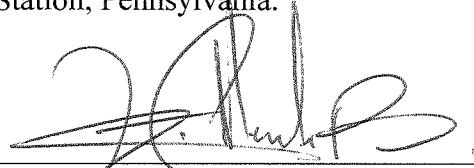
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'V. Allende', is written over a horizontal line.

VICTOR ALLENDE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MARIA M. ALMONTE

1. My name is Maria M. Almonte. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since May of 2008. My current position is Molding Floater/Non-Incentive at the Injection Molding 2 (IM2) Plant. I have worked in this position since August of 2014.

3. As a Molding Floater/Non-Incentive, I am responsible for monitoring for the quality of the product, packing and recording my production.

4. I work the first shift. I work Monday through Friday with occasional weekends. I am paid \$20.65/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Molding Floater, I wear the following personal protective equipment: Safety Glasses; Steel-Toe Shoes; Gloves; Ear Plugs. I arrive at the plant wearing my Safety Glasses. I

Ex. 1002-014

exhibitslucker.com

put on my Steel-Toe Shoes in the locker room. I put on my Ear Plugs when I enter the floor. I put on my Gloves at my work station. I do not wear a uniform.

6. I usually arrive to the IM2 Plant at 6:15 AM. Once I arrive, I clock in, drop my lunch bag off in the lunch room, go to the locker room, change my shoes, and obtain my work bag and then walk downstairs to the floor.

7. It usually takes me less than 5 minutes to change into my shoes and obtain my work bag and walk to my work station. I can put on my other PPE while walking to my work station or at my work station at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I occasionally use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:25 PM. I am allowed to leave the floor at 2:25 PM.

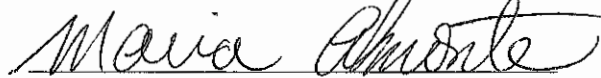
10. Once I leave the floor, I perform the following activities: I go to the locker room to change my shoes, put my work bag in my locker, obtain my personal items and then clock out. I am not required to shower.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3-20 day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Maria Almonte", written over a horizontal line.

Maria M. Almonte

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

Case No. 5:18-cv-01194-GEKP

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

DECLARATION OF ROSA M. ALMONTE

1. My name is Rosa M. Almonte. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since June of 2017. My current position is Laundry Utility at the Central Services Plant. I have worked in this position since February of 2019. I previously worked as a Auto Line worker at the IM2 Plant. I worked in this position from June of 2017 through February of 2019.

3. As a Laundry Utility, I am responsible for supplying and delivering clean uniforms and respirators to the Plants.

4. I work the first shift. I work Monday through Friday. I am paid approximately \$ 18.65 /hr. and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-015

5. As a Laundry Utility, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves. I put on my uniform, boots, and safety glasses in the locker room. I put on my gloves at my work station.

6. I usually arrive to the Central Services Plant at 6:50 am. Once I arrive I clock in, go to my uniform locker, get my uniform, go to my personal locker, put on my work uniform, wait in the locker room, go to my workstation.

7. It usually takes me five minutes to change into my uniform, boots, and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:50 pm. I am allowed to leave the floor at 2:50 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, go to my personal locker, take off my boots and safety glasses, grab my personal items and towel, go to the shower, take a shower, dry off, put on my regular clothes, place dirty clothes in laundry bins, go back to my personal locker, place my personal items back in my personal locker, put on my personal shoes, go to the punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.



ROSA M. ALMONTE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JUSTIN ALVARADO-SALAZAR

1. My name is Justin Alvarado-Salazar. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since 2015. My current position is enveloper series 2 at the A3 Plant. I have worked in this position since 2015.

3. As an enveloper series 2, I am responsible for making the groups that go inside the batteries.

4. I work the third shift. I work Monday through Friday. I am paid \$26/hr. average and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a enveloper series 2, I wear the following personal protective equipment: Uniform; Safety Glasses; Metatarsal Boots; Gloves; Ear Plugs; and Respirator. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves, Ear Plugs, and Respirator once I get onto the work floor.

Ex. 1002-016

exhibitslucker.com

6. I usually arrive to the A3 Plant at 10:00 p.m. Once I arrive I clock in, go to my uniform locker, get my uniform, go to my personal locker, change into my uniform, then head to my workstation.

7. It usually takes me 4 minutes to change into my uniform. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:45 a.m. and perform clean-up, wash my hands and clean my uniform. I am allowed to leave the floor at 6:03 a.m.

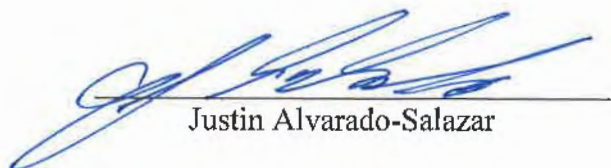
9. Once I leave the floor, I perform the following activities: I walk to the locker rooms, change out of my uniform, shower, change in to my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4 day of April, 2019 in Lyon Station, Pennsylvania.


Justin Alvarado-Salazar

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF SAMUEL AMARO

1. My name is Samuel Amaro. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since April 2014. My current position is enveloping series 2 at the Industrial Automotive Plant.

3. As an enveloper series 2, I am responsible for braking the plates and making sure the group is done correctly.

4. I work the third shift. I work Monday through Friday. I am paid \$24.50/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an enveloper series 2, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Respirator. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves, Ear Plugs, and Respirator at my work station.

Ex. 1002-017

exhibitslucker.com

6. I usually arrive to the Industrial Automotive Plant at 10:10 p.m. Once I arrive I get my uniform, get changed, clock in, and go to the work floor.

7. It usually takes me 4 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:10 a.m. and perform clean-up. I am allowed to leave the floor at 6:22 a.m.

9. Once I leave the floor, I perform the following activities: I walk to my locker, take off my uniform, take a towel to the shower, shower, change in to my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of april, 2019 in Lyon Station, Pennsylvania.


Samuel Amaro

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF KEVIN ANAVITATE

1. My name is Kevin Anavitate. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November 2006. My current position is one shot formation at the A4 Plant. I have worked in this position since May 2014.

3. As a one shot formation, I am responsible for making sure the batteries across products are properly filled.

4. I work the third shift. I work Monday through Friday. I am paid at least \$17/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a worker in one shot formation, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Apron (as needed); Face Shield; Respirator; Hard Hat (as needed). I put on my Uniform, Safety Glasses, Ear Plugs

Ex. 1002-018

exhibitsticker.com

and Respirator (occasionally) in the locker room. I put on my Gloves, Apron (as needed), Face Shield, and Hard Hat (as needed) at my work station.

6. I usually arrive to the A4 Plant at 9:50 a.m. Once I arrive I clock in (unless I am early, in which case I wait to clock in until after I am changed), get my uniform, change into my uniform, then go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots and 4 to 5 minutes walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:55 a.m. I am allowed to leave the floor at 5:55 a.m.

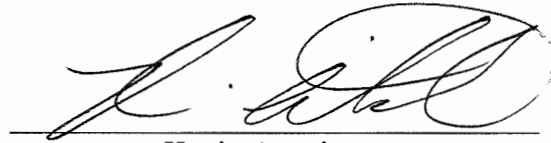
9. Once I leave the floor, I perform the following activities: I walk to the locker room, undress, shower, change into my clothing, clock out and leave. I usually have to wait 3 to 5 minutes to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this March day of 28, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'K. Anavitate', written over a horizontal line.

Kevin Anavitate

needed). I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves, Respirator (as needed), and Hard Hat (as needed) at my work station.

6. I usually arrive to the S1 Plant at 10:11 p.m. Once I arrive I get my uniform, clock in, go to the locker room to change into my uniform, and go to the work floor.

7. It usually takes me 6 minutes to change into my uniform and 2 minutes to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:15 a.m., and stow my uniform jacket and hard hat at that time. I am allowed to leave the floor at 6:20 a.m.

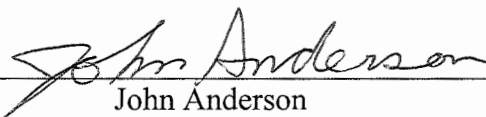
9. Once I leave the floor, I perform the following activities: I go to the locker room, and put my shirt in the bin on the way to my locker, undress at my locker, shower, dress in my personal clothes, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of April, 2019 in Lyon Station, Pennsylvania.


John Anderson

and Steel-Toe Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Ear Muffs and Gloves at my work station.

6. I usually arrive to the Industry Automotive Plant at 5:55 am. Once I arrive I put on my uniform and wait to clock in.

7. It usually takes me seven minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:00 and 2:02 pm. I am allowed to leave the floor at 2:04 pm.


10. Once I leave the floor, I perform the following activities: undress, shower and put on your street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of March, 2019 in Lyon Station, Pennsylvania.


CRAIG ANGSTADT

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DAVID PHILIP ANGSTADT

1. My name is David Philip Angstadt. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 1989. My current position is Shipping/Finishing at the A4 Plant. I have worked in this position since September 2008.

3. As a Shipping/Finisher, I am responsible for Labeling parts and accessories. packaging the finished product.

4. I work the first shift. I work Monday through Friday. I am paid approximately 19.10 per hour, plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Shipping/Finisher, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs. I put on my Uniform, Safety

Ex. 1002-021

exhibitster.com

Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves and Ear Plugs at my work station.

6. I usually arrive to the A4 Plant at 6:01 a.m. Once I arrive I clock in, I put my lunch in the storage area, I go to my locker and get clothing and go into the locker room and put my uniform and equipment on. Once dress I got directly to my workstation.

7. It usually takes me 5 minutes to change into my uniform including putting on my PPE and then I walk to my workstation. I put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:00 p.m. I am allowed to leave the floor at 2:05 p.m.

10. Once I leave the floor, I perform the following activities: I return to the locker-room, remove my uniform and place my used uniform in the laundry bin, then I shower and towel off after. I then I change into my street clothes. I usually go straight to the clock to punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.


David Philip Angstadt

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF WESLEY ARBOGAST

1. My name is Wesley Arbogast I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since June 2015. My current position is a Paste Mixer at the A1 Plant. I have worked as a Paste Mixer since November 2017. I previously worked as a Paste Machine Operator since September 2016. I previously worked as a Paste Takeoff since June 2015.

3. As a Paste Mixer, I am responsible for mixing the paste for the lines, following the steps of the mixing process, and keeping the area clean.

4. I work the second shift. I work Monday through Friday.

5. I am paid \$24.00/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Paste Mixer I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves; Ear Plugs; Respirator as needed, Face Shield as

Ex. 1002-022

exhibitslucker.com

needed; and Hard Hat as needed. I put my uniform, safety shoes, safety glasses, and earplugs on in the locker room. I put on my gloves, respirator, face shield, and hard hat at the work station.

7. I usually arrive to the A1 Plant at 2:10pm. Once I arrive I put my lunch box in the lunch room, clock in, then go into the locker room, grab my uniform, change into my uniform, and go to my work station.

8. It usually takes me 4 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 10:20pm. I am allowed to leave the floor at 10:20pm.

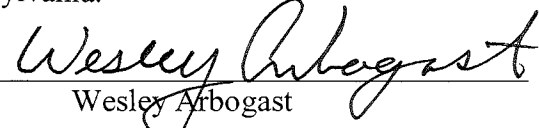
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April 2019 in Lyon Station, Pennsylvania.


Wesley Arbogast

5. As a Reverb Furnace Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Coveralls; Face Shield; Respirator; Hard Hat. I put on my all of my personal protective gear in the locker room.

6. I usually arrive to the Smelter Plant at 7:25 a.m. Once I arrive I go to the lunch room and put my lunch box on the shelf. I then proceed to the clean locker and get my clothing locker key. From there I proceed downstairs to retrieve my uniform and respirator. I then return to the clean locker room and put on my uniform and boots. If there is time, I may go to the lunch room until 7:45 a.m. From there I go to the dirty locker room and put on the remaining personal protective equipment. I then clock in and proceed to my work station. I must clock in by 7:55 a.m, but it is automatically adjusted to 7:45 a.m.

7. It usually takes me ten to fifteen minutes to change into my uniform and other personal protective equipment and walk to my workstation.

8. There is a ten minute grace period after my shift starts to report to my workstation. I frequently use this grace period to report to my work station.

9. I usually stop work at my work station at 3:55 p.m. I am allowed to leave the floor at that time.

10. Once I leave the floor, I perform the following activities: I clock out (at 3:55 p.m. or shortly thereafter, but it is automatically adjusted to 4:15 p.m.), proceed to the dirty locker, remove my clothes and personal protective equipment, shower, proceed to the clean locker room, dress in my street clothes and leave. The twenty minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19TH day of March, 2019 in Lyon Station, Pennsylvania.


GREGORY ARNOLD

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF SARAH AUCHENBACH

1. My name is Sarah Auchenbach. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November of 2018. My current position is COS enveloper at the A4 Plant. I have worked as an enveloper since November 2018. Previous to working for East Penn, I worked at East Penn as a temporary hire through Temp Star from June 2018 until November 2018. As a temporary hire, I worked in the finishing department.

3. As an enveloper, I am responsible for keeping the enveloping machines running, making sure the groups of plates are good, and fixing machines.

4. I work the second shift. I work Monday through Friday. Occasionally, I voluntarily work overtime on Sundays. I am paid approximately \$19 an hour . Additionally, I am paid based upon piece rate based on production. I often make an extra \$6 an hour for the

Ex. 1002-024

exhibitsticker.com

piece rate but it varies. I receive time and a half pay for all hours worked over forty in a workweek.

5. As an enveloper, I wear the following personal protective equipment: uniform, safety glasses, steel-toe boots, gloves, ear plugs and a respirator. I put on my uniform and boots in the locker room. I put on my safety glasses before entering work area. At my work station, I put on ear plugs and gloves.

6. I usually arrive to the A4 Plant at about 2:15 p.m. Once I arrive, I go straight to clock in. Then, I go to the locker room and change into my uniform and boots. Then, I put my lunch in my personal locker in the locker room.

7. It usually takes me five minutes to change into my uniform and boots and safety glasses and walk to the department. It takes me an additional three to five minutes to put my respirator on outside the work area.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop working Monday through Thursday at 10:10 pm. On Fridays, I stop working at 10:00pm.. I leave the floor at 10:20 p.m. each day.


10. Once I leave the floor, I perform the following activities: I drop off my respirator in the hallway, then go to the locker room and take my uniform and boots off and then take a shower. Then, I put on my street clothes and immediately clock out.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of March, 2019 in Lyon Station, Pennsylvania.



Sarah Auchenbach

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MAHLON AUKER

1. My name is Mahlon Auker. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since February 2011. My current position is enveloper series 2 floater at the A1 Plant. I have worked in this position since October 2018. I previously worked as plant utility at Industrial. I worked in this position from 2013 through October 2018.

3. As an enveloper series 2 floater, I am responsible for preparing groups to be dropped into batteries or to be run on a Dynamac machine.

4. I work the first shift. I work Monday through Friday. I am paid \$26.36/hr. average and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an enveloper series 2 floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Hard Hat as needed. I

Ex. 1002-025

exhibitster.com

put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves; Ear Plugs; Hard Hat at my work station.

6. I usually arrive to the A1 Plant at 6:22 a.m. to 6:25 a.m. Once I arrive I punch in, put my lunchbox on the shelf, grab my uniform, go to my locker and get changed, and go to the work floor.

7. It usually takes me 6 to 8 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:00 p.m. to 2:10 p.m. depending on how well the line is running or if we are trying to make a certain amount of batteries. I am allowed to leave the floor at 2:20 p.m., but no later than 2:30 p.m.

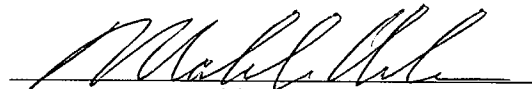
10. Once I leave the floor, I perform the following activities: go to the locker room, undress, shower, get dressed in street clothes, and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of March, 2019 in Lyon Station, Pennsylvania.


Mahlon Auker

6. I usually arrive to the A3 Plant at 2:30 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the smoke shack and smoke until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:40 p.m. I am allowed to leave the floor at 10:48 p.m.

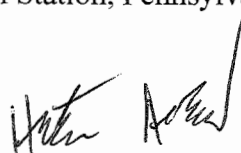
9. Once I leave the floor, I perform the following activities: I put my respirator in the bin, go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, wait to punch out, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Hunter Aurand", is written above a horizontal line.

HUNTER AURAND

6. I usually arrive to the Industrial Automotive Plant at 5:30 am. Once I arrive I go to my uniform locker, remove uniform from locker, go to my personal locker, change out of my street clothes into my work uniform, put on boots, go to lunchroom, read a book, drink coffee, go to scan in, go to my personal locker, place personal items into personal locker, go back to lunchroom, wait, talk with colleagues, go to my workstation.

7. It usually takes me two minutes to change into my uniform, boots and safety glasses. It usually takes two minutes to walk from the locker room to my workstation. I put on all my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:27 pm. I am allowed to leave the floor at 2:32 pm.

9. Once I leave the floor, I perform the following activities: go to my personal locker, remove uniform, go to shower, take shower, go to personal locker, change into street clothes, go out, stand in line wait to punch out, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2019 in Lyon Station, Pennsylvania.


RONALD A BAKER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF LASZOL BALAZS

1. My name is Laszol Balazs. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June of 2011. My current position is COS Take Off at the Industrial Automotive Plant. I have worked in this position since June of 2011.

3. As a COS Take Off, I am responsible for inspecting batteries for quality, stamping the battery and putting them into a short checker to determine if there are any defects. If defects are present I try to repair them. Once the batteries pass quality control they get put on a skid, wrapped and sent to assembly.

4. I work the third shift. I work Monday through Friday. I am paid \$19.80 per hour, plus plant bonus and piece rate. I receive time and a half pay for all hours worked over forty hours in a workweek.

5. As a COS Take Off, I wear the following personal protective equipment: a Uniform, Steel-Toe Boots, Safety Glasses, Gloves, Ear Plugs, Face Shield as needed, Respirator

Ex. 1002-028

exhibitster.com

as needed, and a Hard Hat as needed. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in the locker room. I put on my Gloves, Ear Plugs, Face Shield as needed, Respirator as needed, and a Hard Hat as needed at my work station.

6. I usually arrive to the Industrial Automotive Plant at 10:00p.m. Once I arrive I go to the uniform locker and pick up my uniform. I then go to my locker in the locker room and put on my Uniform, Steel-Toe Boots and Safety Glasses. Once dressed, I punch in and go to the COS Floor.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots and Safety Glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:20a.m. I am allowed to leave the floor at 6:20a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin. Then I take my shower and towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then I punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

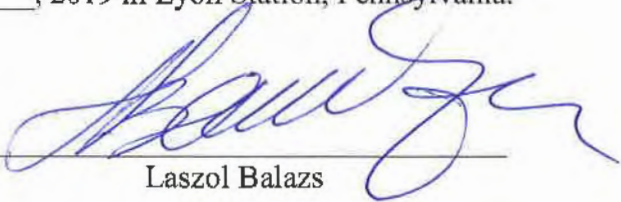
10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9 day of 4, 2019 in Lyon Station, Pennsylvania.



Laszlo Balazs

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF BRUCE BALLIET

1. My name is Bruce Balliet. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April of 1999. My current position is Set Up at the Injection Molding 2 (IM2) Plant. I have worked at this position since March of 2000.

3. As Set Up, I am responsible for changing out molds and trouble shooting.

4. I work the first shift. I work Monday through Friday, with mandatory overtime every third weekend. I am paid approximately \$23.45 for regular time, and I receive time and a half pay for all hours worked over forty hours in a workweek.

5. As a Set Up, I wear the following personal protective equipment (PPE): Safety Glasses, Ear Plugs, gloves (as needed) and Steel-Toe Boots. I put on my uniform at my locker and my other personal protective equipment at my work station. The uniform is not mandatory, but I choose to wear one.

Ex. 1002-029

exhibitstickler.com

6. I usually arrive to the IM2 Plant at 6:15 AM. Once I arrive, I clock in and I am on the floor at my work station.

7. It usually takes me 5 minutes to put on my PPE and walk to my workstation.

8. I usually stop work at my work station at 2:30 PM.

9. Once I leave the floor, I perform the following activities: Change into street clothes and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3 day of 26, 2019 in Lyon Station, Pennsylvania.


BRUCE BALLIET

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JOSEPHYNE BARBOSA

1. My name is Josephyne Barbosa. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April of 2018. My current position is Finishing Floater at the Industrial Plant. I have worked in this position since April of 2018.

3. As a Finishing Floater, I am responsible for knowing all jobs in the Finishing Department.

4. I work the third shift. I work Monday through Friday. I am paid \$19.30 per hour plus department bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Finishing Floater, I wear the following personal protective equipment: a Uniform, Steel-Toe Boots, Safety Glasses, Gloves as needed, Ear Plugs as needed, Face Shield as needed and Hard Hat as needed. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in

Ex. 1002-030

exhibitster.com

the locker room. I put on my Gloves as needed, Ear Plugs as needed, Face Shield as needed and Hard Hat as needed at my work station.

6. I usually arrive to the Industrial Plant at 10:15p.m. Once I arrive I get my uniform, I get dressed, I put on my Steel-Toe Boots and Safety Glasses, and then I punch in. I then wait in the locker room until it is time to walk to my department.

7. It usually takes me six to change into my Uniform, Steel-Toe Boots, and Safety Glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:32a.m. I am allowed to leave the floor at 6:33a.m.

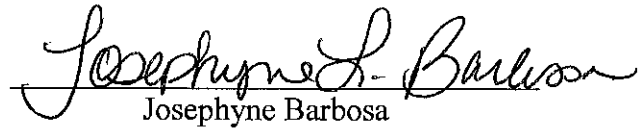
9. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower, towel off and put on my street clothes. I return to my locker to store my shower items and then I punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of April, 2019 in Lyon Station, Pennsylvania.


Josephyne Barbosa

occasionally. I put on my uniform, safety glasses and safety shoes in the locker room. I put other equipment as needed out on the plant floor at my work station.

6. I usually arrive to the S1 Plant at 6:35am. Once I arrive I punch in, go to the locker, get my uniform and change and head to my work station.

7. It usually takes me 5 minutes to change into my uniform and 3 minutes to walk to my work station.

8. There is a five minute grace period to arrive at my workstation after my shift starts. I sometimes use this grace period to report to my work station.

9. I usually stop work at my work station at 2:35 pm. I am allowed to leave the floor at 2:35pm to go shower.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform and shower, put my street clothes on, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Edwin Baret", written over a horizontal line.

Edwin Baret

on my remaining personal protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the OX1 Plant at 7:30 a.m. Once I arrive I put my lunch bag and drink in the lunch room refrigerator, go to the uniform locker, get my uniform, go to the clean-side locker and put on my uniform, go to the dirty-side locker and put on my steel-toe boots, punch in, go to the lunch room and relax and get my bearings, go to the office and gather my work information, then go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:50 p.m. I am allowed to leave the floor at 3:55 p.m.

9. Once I leave the floor, I perform the following activities: I punch out, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.



NICHOLAS BARI

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JEAN BARREAU, SR.

1. My name is Jean Barreau, Sr.. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June 1999. My current position is enveloper series 2 at the A4 Plant. I have worked in this position since 2010.

3. As an enveloper series 2, I am responsible for making the groups that go inside the casings that make the battery.

4. I work the third shift. I work Monday through Friday. I am paid at least \$20/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an enveloper series 2, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Apron as needed; Face Shield as needed; Respirator as needed; and Hard Hat as needed. I put on my Uniform, Safety Glasses, and

Ex. 1002-033

exhibitstick.com

Boots in the locker room. I put on my Gloves; Ear Plugs; Apron as needed; Face Shield as needed; Respirator as needed; and Hard Hat as needed at my work station.

6. I usually arrive to the A4 Plant at 10:20 p.m. Once I arrive I clock in, get my uniform, get dressed, and then go out to the floor.

7. It usually takes me 5 to 6 minutes to change into my uniform and boots and about 1 minute walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime or as needed for specific tasks.

8. I usually stop work at my work station at 6:10 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

9. Once I leave the floor, I perform the following activities: walk to the changing lockers, take of my uniform, grab a towel, shower, put on my street attire, and punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of MARCH, 2019 in Lyon Station, Pennsylvania.


Jean Barreau, Sr.

5. As a Grid Cast Operator I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield, depending on the job; and Respirator. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 6:20 a.m. Once I arrive I go to the uniform locker and get my uniform, go to my personal locker and change into my uniform and steel-toe boots. I then grab a respirator and take my lunch to the lunch room. I then relax until it is time to punch in. I then punch in and walk to my work station, getting my ear plugs and gloves on the way.

7. It usually takes me eight minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I occasionally use this grace period to report to my workstation .

9. I usually stop work at my work station at 2:48 p.m. and I am allowed to leave the floor at that time.

10. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, place my uniform in the laundry bin, go to my personal locker, undress, shower, change into my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.



GEORGE BARTHOLD

Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs, and Respirator at my work station.

6. I usually arrive to the A3 Plant between 6:25 a.m. and 6:30 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station between 3:00 p.m. and 3:03 p.m., depending on when the second shift relief arrives, and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the bathroom and wash my hands and use the facilities if necessary, go to the locker room and remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Max Batista', is written over a horizontal line.

MAX BATISTA

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MARK A. BAUER

1. My name is Mark A. Bauer. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January of 2013. My current position is Material Handler at the A-4 Plant. I have worked in this position since January of 2017. I previously worked as a Parts Castor at Smelter Annex. I worked in that position from approximately September of 2015 through January of 2017. Prior to that, I was a Yard Jockey working out of the IM-2 Plant from January of 2013 through September of 2015.

3. As a Material Handler, I am responsible for moving pallets from the end of the line, wrapping them, labeling them and putting them into trailers.

4. I work the third shift. I work Monday through Friday and Saturday as needed. I am paid approximately \$19.00/hr. plus a variable production bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-036

exhibitstick.com

5. As a Material Handler, I wear the following personal protective equipment (PPE): Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs (as needed); Hard Hat (as needed). I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs and Hard Hat at my work station.

6. I usually arrive to the A-4 Plant at 9:50 pm. Once I arrive, drop my lunchbox off in the lunchroom, get my uniform, put my uniform and boots on and wait to clock in.

7. It usually takes me 8 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation

9. I usually stop work at my work station at 6:00 am I am allowed to leave the floor at 6:05 am.

10. Once I leave the floor, I perform the following activities: undress, shower, put on my street clothes, put uniform in laundry and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of March, 2019 in Lyon Station, Pennsylvania.

Mark A. Bauer

MARK A. BAUER

Respirator; and Hard Hat. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the OX1 Plant between 7:15 a.m. and 7:30 a.m. Once I arrive I put my lunch box in the lunch room, go to the uniform locker, get my uniform, go to the clean-side locker, change into my uniform, go to the dirty-side locker, put on my steel-toe boots, go to the lunch room and wait until it is time to punch in, then punch in and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:55 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I punch out, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, get my toiletries, shower, go to the clean-side locker, change into my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.


FRANK BEAHN

Boots in the locker room. I put on my Gloves, Ear Plugs and Respirator as needed, Face Shield as needed and Hard Hat as needed at my work station.

6. I usually arrive to the A4 Plant at 9:15p.m. Once I arrive, I punch in I go put my lunchbox on the shelf. I then go my uniform locker and remove my uniform and gear and go to my personal locker to get dressed. Then I go to the floor to my workstation to start the day.

7. It usually takes me about five minutes to change into my uniform and boots and glasses and to walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my work station.

9. I usually stop work at my work station at 5:45a.m. I am allowed to leave the floor at 5:55a.m.

10. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.



Steven Becker

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DANIEL BEHM

1. My name is Daniel Behm. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since 2009. My current position is finish leader at the A4 Plant. I have worked in this position since January 2013.

3. As a finish leader, I am responsible for scheduling batteries on the line to be run arising from orders sent from Topton, scheduling people on the lines, answering any questions of the workers, and making sure the machines are running. .

4. I work the third shift. I work Monday through Friday. I am paid \$25.05/hr. plus shift differential and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a finish leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield as needed; Hard Hat as needed. I put on my Uniform and Boots in the locker room. I put on my Safety Glasses, Gloves, Ear Plus, Face Shield (as needed) and Hard Hat (as needed) on the work floor.

Ex. 1002-039

exhibitstick.com

6. I usually arrive to the A4 Plant at 9:00 p.m. Once I arrive I punch in, get my uniform from my locker, and go change, take my lunch box to the lunch room, then go to the work floor.

7. It usually takes me 8 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while on the work floor.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:00 a.m. I am allowed to leave the floor at 6:00 a.m.

10. Once I leave the floor, I perform the following activities: go to the locker room, undress, shower, get dressed and wait in line to punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29 day of MARCH, 2019 in Lyon Station, Pennsylvania.



Daniel Behm

required) at my work station. In my case, when it is required for me to put on my uniform I put on my uniform in the locker room.

6. I usually arrive to the Central Services Plant at 6:40 am. I usually arrive to the Central Services Plant at 6:40 am. Once I arrive I punch in, gather my PPE, and go to my workstation.

7. It usually takes me three minutes to change into my uniform, boots and safety glasses. It usually takes one minute to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime. When I am required to put on a uniform I am able to put it on in the locker room.

8. There is a five minute grace period after my shift starts to report to my work station.

9. I usually stop work at my work station at 4:00 pm. I am allowed to leave the floor at 4:00 pm.

10. Once I leave the floor, I perform the following activities: remove my safety glasses and boots, put my street shoes on, put on my personal glasses, go to the time clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities. I am not required to take a shower. When I wear a uniform I am required to take a shower.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.



WAYNE R. BEITLER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF TARA BELL

1. My name is Tara Bell. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 2000. My current position is an Industrial Plant Representative at the Industrial Plant. I have worked in this position since April of 2011. I previously worked as a Injection Molding Floater at the Injection Molding 2 Plant. I worked in this position from July of 2006 through April of 2011. I previously worked as a Transportation Secretary at the Topton Distribution Center. I worked in this position from September of 2005 through July of 2006. I was hired as a Data Entry Secretary in the Fred Keller Technical Center. I started on August of 2000 and was in this initial position until September of 2005.

3. As a an Industrial Plant Representative, I am responsible for the following jobs: operator of the positive plate machine; takeoff, which is the end job when the plates are finished and wrapped we skid them for the next department; material handler, I bring the plates to the operator, I then go to the takeoff end, remove the full skids and put them away, I also bring in all

Ex. 1002-041

exhibitster.com

other work material such as koroseal, glassmat, booting material, and making manifest for the outgoing skids; foreman, when he is out I run all foreman reports, schedule for the machines, do mail run, back up to the material handler.

4. I work the first shift. I work Monday through Friday. I am paid \$ 19.85 per hour, plus a bonus which ranges between \$3 to \$3.75 per hour, depending on how many batteries leave the Plant. I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Industrial Plant Representative, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Hard Hat (when material handling). I put on my uniform, boots and safety glasses in the locker room. I put on all my other PPE at my work station.

6. I usually arrive to the Industrial Plant at 5:30 am. Once I arrive I go to my uniform locker, get my uniform for the day, go into the locker room, grab my towel for the shower, go over to the bench and lay out my uniform and garments, go back out, punch in at the time clock, go back into the locker room, change into my uniform, take all my street clothes, showering essentials, place into my personal locker in the locker room, walk out to the floor and go to my work station.

7. It usually takes me seven minutes to change into my uniform, boots and safety glasses and walk to my workstation. I can put on all my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 1:35 pm. I am allowed to leave the floor at 1:48 pm.

9. Once I leave the floor, I perform the following activities: go into my locker room, grab all of my showering essentials, street clothes, walk into the showering room, place my

personal items on the bench, turn shower on, walk over to the uniform bin, remove my work uniform, take my shower, when done with my shower, get into my street clothes, throw my towel in the towel bin, take my shower essentials back to my personal locker, put my shoes on, coat, grab my lunch box, go punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March, 2019 in Lyon Station, Pennsylvania.


TARA BELL

Respirator occasionally and a hard hat. I put on my uniform, safety glasses and safety shoes in the locker room. I put on my earplugs and gloves and other equipment as needed at my work station.

7. I usually arrive to the S1 Plant at 5:35am. Once I arrive I put my lunchbox in lunchroom and punch in, grab my uniform, change and then go to the workplace.

8. It usually takes me 5 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

9. I usually stop work at my work station at 1:55 pm. I am allowed to leave the floor at 2:05pm.

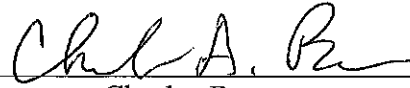
10. Once I leave the floor, I perform the following activities: stop in the office to drop off paperwork, remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Ch. A. Berger", is written over a horizontal line.

Charles Berger

7. I usually arrive to the S1 Plant at 1:30pm. Once I arrive I get my uniform, change into my uniform, and sit and read in the cafeteria, then clock in, go back and read in the cafeteria, and then go to my work station.

8. It usually takes me 5 minutes to change into my uniform and 3 minutes to walk to my workstation.

9. I usually stop work at my work station at 10:18 pm. I am allowed to leave the floor at 10:20 pm.

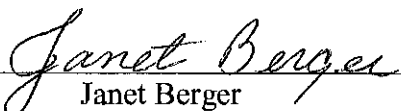
10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March 2019 in Lyon Station, Pennsylvania.


Janet Berger

Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves and Ear Plugs while walking from the locker room to my work station or at my work station.

6. I usually arrive to the A2 Plant at 5:45 a.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and steel-to boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 1:45 p.m. I am allowed to leave the floor at 1:50 p.m.

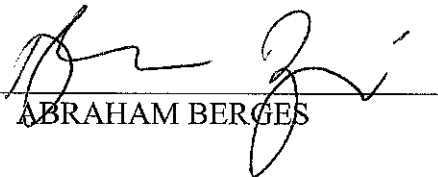
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the locker room, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of April, 2019 in Lyon Station, Pennsylvania.



ABRAHAM BERGES

6. I usually arrive to the Central Services Plant at 6:00 am. Once I arrive I go to the lunch room, drop off my cooler, talk to my co-workers, go out to the time clock, wait in time clock line, punch in, walk to my uniform locker, get my uniform out, go back to my personal locker in the locker room, take off my street clothes, put on my work uniform, talk to my co-workers, walk to my workstation.

7. It usually takes me three minutes to change into my uniform, boots and safety glasses. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my work station. I usually stop work at my work station at 2:15 pm. I am allowed to leave the floor at 2:15 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, go to my personal locker, get undressed, go to the shower, take a shower, get a towel, dry off, put on my street clothes, take my dirty work uniform, place in dirty bins, go to the lunch room, get my cooler, go to the time clock, wait in the time clock line, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April, 2019 in Lyon Station, Pennsylvania.



DAVID R. BIEBER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF RYAN BISHOP

1. My name is Ryan Bishop. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 2000. My current position is COS Operator at the following Plants: Industrial Automotive, A2 & A3. I have worked in this position within the Industrial Plant starting August of 2018, I worked in the A 2 Plant ((from January of 2005 through September of 2008) & (from November of 2009 through August of 2018)), and I worked in the A3 Plant from March of 2002 through April of 2002.

3. As a COS Operator, I am responsible for making batteries.

4. I work the first shift. I work Monday through Friday. I am paid \$ 19.65 per hour. As a COS Operator, I receive time and a half pay for all hours worked over forty in a workweek.

5. As a COS Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Metatarsal Boots; Gloves; Ear Plugs; Respirator (when required). I put

Ex. 1002-046

exhibitster.com

on my uniform, boots and safety glasses in the locker room. I put on my gloves, ear plugs, and respirator (when required) at my work station.

6. I usually arrive to the Industrial Automotive Plant at 6:00 am. Once I arrive I get my uniform, go to the locker room, change into my uniform, put on my boots, use the bathroom, go into the lunch room, look at my phone, get in line to punch in, punch in.

7. It usually takes me five minutes to change into my uniform, boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:10 pm. I am allowed to leave the floor at 2:20 pm.

9. Once I leave the floor, I perform the following activities: go to my locker, take my boots and uniform off, put them in their respective dirty bins, take a shower, dry off, get dressed, walk to time clock, wait in line, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March, 2019 in Lyon Station, Pennsylvania.


RYAN BISHOP

6. I usually arrive to the A3 Plant at 10:28p.m. Once I arrive I get my uniform, I punch in, and then I get dressed. In getting dressed I put on my Uniform, Steel-Toe Boots and Safety Glasses. After I dress, I walk to my department.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots and Safety Glasses and to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:28a.m. I am allowed to leave the floor at 6:30a.m.

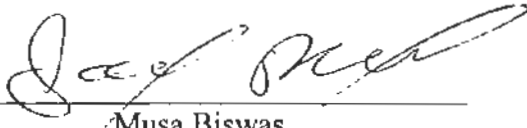
10. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.



Musa Biswas

7. I usually arrive to the S1 Plant at 1:30pm. Once I arrive I grab my uniform, go to my personal locker in the locker room, change into my uniform, go stand at the punch clock, and clock in.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 10:35pm. I am allowed to leave the floor at 10:35pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March 2019 in Lyon Station, Pennsylvania.



Jacob Boehm

6. I usually arrive to the Oxide 2 Plant at 7:30 a.m. Once I arrive I go to the lunch room and put my lunch in the refrigerator. I then smoke and talk to co-workers until 7:45 a.m. I then go to the uniform locker and get my uniform and respirator. I proceed to the clean locker, change into my uniform. I then go to the dirty locker, clock in, put on my boots and belt and get my keys for the floor locker. I then proceed to my work station where I retrieve my remaining personal protective equipment.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I frequently use this grace period to report to my workstation.

9. I usually stop work at my work station at 3:55 p.m, at which time I am allowed to leave the floor.

10. Once I leave the floor, I perform the following activities: clock out at 3:55p.m. (which is automatically adjusted to 4:15), put my time card on my lunch box, go back to the dirty locker and remove my uniform, boots and other personal protective equipment. I then shower, get dressed in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March, 2019 in Lyon Station, Pennsylvania.


BRIAN C. BOERT, SR.

Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my other PPE, as necessary, on the work floor.

6. I usually arrive at the IND Building at 10:35 PM. Once I arrive, I clock in immediately and then I change my clothes. After changing, I proceed immediately to my work station.

7. It usually takes me 5-7 minutes to change into my Uniform, Boots and Glasses.

8. I usually work until 6:45 AM because my department works a 15-minute overlap period every day (a) to ensure continuous operation of the casting process and (b) facilitate better communication between shifts regarding production issues. I also spend 5 minutes to communicate with oncoming shift members about production issues on my shift. I am permitted to leave the work floor at 6:50 AM.

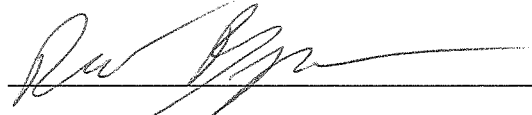
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Reed Bogosh', is written over a solid horizontal line.

REED BOGOSH

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF APRIL BOSSLER

1. My name is April Bossler. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since May 2006. My current position is Finisher at the S1 Plant. I have worked in this position since July 2016. I previously worked in A4 as a Material Handler since October 2010.

3. As a Finisher, I am responsible for hi-rating batteries and putting them on pallets.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$22/hr. with bonus and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Finisher, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Earplugs. I put on my uniform and safety shoes in the locker room. I put my safety glasses as I am walking to my workstation. I put on my gloves and earplugs at my work station.

Ex. 1002-051

exhibitster.com

7. I usually arrive to the S1 Plant at 6:31am. Once I arrive I usually punch in, grab my uniform and go get changed then head to the floor.

8. It usually takes me 4 minutes to change into my uniform and 2 minutes to walk to my workstation. I can put on my glasses while walking to my workstation or at my workstation at the start of my worktime.

9. I usually stop work at my work station at 2:25pm. I am allowed to leave the floor at 2:35pm.

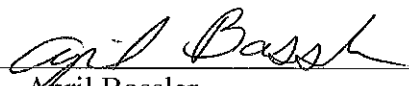
10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, wait to punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March 2019 in Lyon Station, Pennsylvania.



April Bossler

room. I put on my Gloves (as needed); Ear Plugs; Face Shield (as needed); and Hard Hat (as needed) at my work station.

6. I usually arrive to the A3 Plant at 6:20 a.m. Once I arrive I clock in, get my uniform, go to my locker to get changed, then go to the work floor.

7. It usually takes me 5 minutes to change into my uniform 2 minutes to and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:00 p.m. I usually leave the floor at 3:00 p.m.

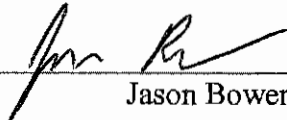
9. Once I leave the floor, I perform the following activities: I go to the locker room, wash my hands, use the restroom, undress, shower, change into my personal clothes, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10 day of April, 2019 in Lyon Station, Pennsylvania.



Jason Bower

walking from the locker room to my work station. I put on my Gloves; Ear Plugs; Respirator; and Hard Hat at my work station.

6. I usually arrive to the S1 Plant at 10:00 p.m. Once I arrive I clock in, get my uniform, change into my uniform, get my boots on the way out of the locker room, and go to my work station.

7. It usually takes me 2 minutes to change into my uniform and 2 minutes to and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 5:45 a.m. and perform clean-up. I am allowed to leave the floor at 6:05 a.m.

10. Once I leave the floor, I perform the following activities: take my boots off and place them on the boot rack, go to my locker and change out of my uniform, go to the shower, change in to my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.


Brady Bowlin

Shield (when required); Respirator; Hard Hat (when driving tow motor). I put on my uniform and boots in the locker room. I put on my safety glasses while walking from the locker room to my work station. I put on my Gloves; Ear Plugs; Apron (when required); Face Shield (when required); Respirator; Hard Hat (when driving tow motor) at my work station.

6. I usually arrive to the Central Services Plant at 5:47 am. Once I arrive I punch in, go to my uniform locker, go to my personal locker, change into my uniform and boots, go to my workstation.

7. It usually takes me four minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:25 pm. I am allowed to leave the floor at 3:50 pm.

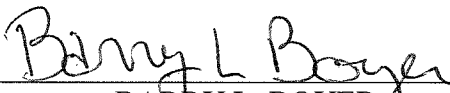
9. Once I leave the floor, I perform the following activities: go to my locker, get undressed, get a shower, change into my street clothes, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of April, 2019 in Lyon Station, Pennsylvania.


BARRY L. BOYER

Glasses and Steel-Toe Boots in the locker room. I put on my Gloves and Ear Plugs at my work station.

6. I usually arrive to the A-3 Plant at 10:10 pm. Once I arrive, I grab my uniform, put on my uniform and boots, clock in and proceed to my work station.

7. It usually takes me 8 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:16 am. I am allowed to leave the floor at 6:18 am

9. Once I leave the floor, I perform the following activities: walk to the locker room, undress, shower, put on my street clothes and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.



JEREMY D. BOYER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JONATHAN BOYER

1. My name is Jonathan Boyer. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since December 1999. My current position is leader in the COS and enveloping department at the A1 Plant. I have worked in this position since 2012.

3. As leader in the COS and enveloping department, I am responsible for placing people on their assigned machines, keeping machines up and running, communicating issues to maintenance, and ensuring individuals are doing the right tasks at the right times, and problem solving.

4. I work the first shift. I work Monday through Friday. I am paid at least \$25/hr. and I receive time and a half pay for all hours worked over forty in a workweek. I am paid for my time punch in to punch out.

Ex. 1002-056

exhibitster.com

5. As leader in the COS and enveloping department, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Face Shield when necessary; Respirator when necessary; Hard Hat when necessary. I put on my Uniform, Boots, and Safety Glasses in the locker room. I put on my Gloves; Ear Plugs; and Face Shield at my work station.

6. I usually arrive to the A1 Plant at 6:20 a.m. Once I arrive I swipe in, grab my uniform, change, and go onto the work floor.

7. It usually takes me 7 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to immediately report to my workstation.

9. As leader, I usually stop work at my work station at 2:45 p.m. and the leave the floor at 2:45 p.m.

10. Once I leave the floor, I perform the following activities: change out of uniform, shower, dress in street clothes, and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

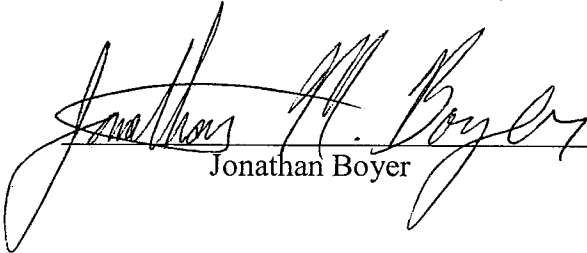
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of March, 2019 in Lyon Station, Pennsylvania.


Jonathan Boyer

Gloves (occasionally); Ear Plugs (occasionally); Heat Gloves (when heat treating only); ear muffs (when necessary) at my work station.

6. I usually arrive to the Central Services Plant at 4:42 am. Once I arrive I clock in, go to my clothing locker, take out my clothing, go to lunchroom, drop off lunch box, get coffee, go to my personal locker, get changed, go to my workstation.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses. It usually takes two minutes to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:35 pm. I am allowed to leave the floor at 2:35 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, go to the bathroom, go to my personal locker, get changed, get my lunch box, go to clock out, clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities. I am not required to take a shower.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March, 2019 in Lyon Station, Pennsylvania.


TODD BOYER

6. I usually arrive to the S1 Plant at 6:00am. Once I arrive I get my uniform and change, have coffee in the lunchroom, punch in, and go onto the floor.

7. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:20pm. I am allowed to leave the floor at 2:20pm.

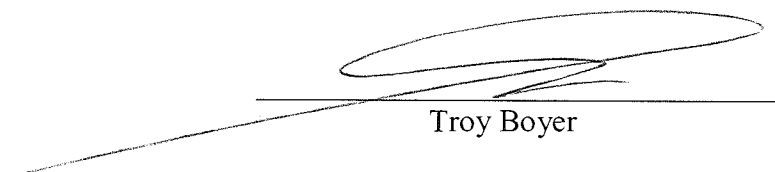
9. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is enough for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March 2019 in Lyon Station, Pennsylvania.



Troy Boyer

6. I usually arrive to the A2 Plant at 5:15 a.m. to 5:20 a.m. Once I arrive I clock in, get my uniform, get dressed, and go out to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 1:35 p.m. I am allowed to leave the floor at 1:35 p.m.

10. Once I leave the floor, I perform the following activities: go to my locker, get undressed, shower, get dressed and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of March, 2019 in Lyon Station, Pennsylvania.



Ryan Boyle

Toe Boots and Safety Glasses in the locker room. I put on my Gloves and Ear Plugs at my work station.

6. I usually arrive to the A2 Plant at 5:30 a.m. to 5:45 a.m. Once I arrive I get my uniform out of my locker, go to my personal locker, change into my uniform, put on my boots and safety glasses and go sit in the bathroom. Afterward, I go to the breezeway picnic table, eat a little food, then go clock in and go to the floor.

7. It usually takes me 10 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I rarely make use of the grace period.

9. I usually stop work at my work station at 2:05 p.m. I am allowed to leave the floor at 2:05 p.m.

10. Once I leave the floor, I perform the following activities: take off my Uniform, shower, get changed into my personal clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March, 2019 in Lyon Station, Pennsylvania.


Phil Breidenstein

on my Gloves; Respirator (when necessary); Hard Hat (as described above) and Kevlar Gloves (when necessary) at my work station.

6. I usually arrive to the Central Services Plant at 2:25 pm. Once I arrive I punch in, grab my clothing out of my clothing locker, go back to my personal locker, change, go to my workstation.

7. It usually takes me two minutes to change into my uniform, boots and safety glasses. It usually takes one minute to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 12:20 am. I am allowed to leave the floor at 12:20 am.

9. Once I leave the floor, I perform the following activities: go to my personal locker, change into my street clothes, place my dirty work uniform in the dirty bin, go to the time clock, clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March, 2019 in Lyon Station, Pennsylvania.


JOHN R. BRENSINGER

6. I usually arrive to the S1 Plant at 2:16pm. Once I arrive I punch in, grab my uniform out of my locker, change, then I go onto the floor.

7. It usually takes me 10 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:20pm. I am allowed to leave the floor at 10:20pm.

9. Once I leave the floor, I perform the following activities: remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is enough for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March 2019 in Lyon Station, Pennsylvania.



Christian Brito

6. I usually arrive to the A3 Plant at 1:45 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to the lunch room and read the paper and relax until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me four minutes to change into my uniform and boots. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:30 p.m. I am allowed to leave the floor at 10:35 p.m.


9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.


ERIC BROSSMAN

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF RONALD W. BUCHTER, JR.

1. My name is Ronald Buchter. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since September of 2003. My current position is Raw Fill Operator. I have worked in my current position at both the Industrial Automotive & A 2 Plants. I have worked in this position since October of 2009.

3. As a Raw Fill Operator, I am responsible for material handling, taking batteries out of trailers and putting the batteries back into the department.

4. I work the First shift. I work Monday through Friday. I only work Saturday when I am asked. I am paid \$ 19.10 per hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Raw Fill Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Goggles (when required); Ear Plugs; Hard

Ex. 1002-064

exhibitster.com

Hat (when I am material only when I am on the stack truck or tow motor/fork lift). I put on my uniform, boots in the locker room. I put on my safety glasses while walking from the locker room to my work station. I put on my Gloves; Goggles (when required); Ear Plugs; Hard Hat (as described above) at my work station.

6. I usually arrive to the Industrial Automotive Plant at 6:03 am. Once I arrive I grab my uniform, clock in, go to breakroom, put my lunch box on the shelf, go to locker room, get dressed, go to my workstation.

7. It usually takes me two minutes to change into my uniform and boots. It usually takes three minutes to walk from the locker room to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 1:55 pm. I am allowed to leave the floor at 2:02 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, wash hands before going to my locker, go to my locker, go take a shower, go back to my locker, dry off, get dressed into my street clothes, pick up my lunch box, go to punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of March, 2019 in Lyon Station, Pennsylvania.


RONALD BUCHTER, JR.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF GARY BUCK

1. My name is Gary Buck. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since September of 2018. My current position is Pasting Machine Operator at the A-2 Plant. I have worked in this position since the inception of my employment.

3. As a Pasting Machine Operator in the A-2 Plant, I operate a machine that applies paste to the lead grids at the beginning phase of the process of manufacturing batteries.

4. I work the third shift. I work Monday through Friday. I am paid a base rate of \$19.95/hr., with shift differential and exclusive of production incentives. I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Pasting Machine Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves (multiple varieties); Face Shield; and Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on other forms of my PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant at 9:45 PM. Once I arrive, I immediately change my clothes and then, afterwards, clock in. I use the restroom and then proceed immediately to my workstation in the Pasting Department.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots and walk to my work station. I put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at 6:00 AM. I am allowed leave the floor 5 minutes early, at 6:00 AM, and walk to the locker room.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 15 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 24th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, reading "Gary Buck", is written over a horizontal line.

GARY BUCK

6. I usually arrive to the A3 Plant at 10:15 p.m. Once I arrive I clock in, put my uniform on, go to the lunch room and get a drink, then go to the work floor.

7. It usually takes me 4 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:15 a.m. and perform clean up and finish paperwork. I am allowed to leave the floor at 6:20 a.m.

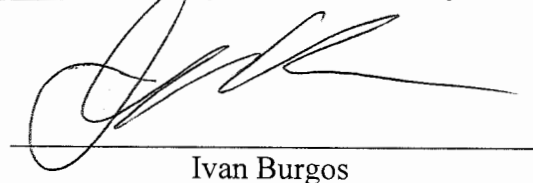
9. Once I leave the floor, I perform the following activities: go to my locker, take off my uniform, shower, change back into my personal clothing, then clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.



Ivan Burgos

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JOHNLEE BURGOS

1. My name is Johnlee Burgos. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January 2013. My current position is a Plate Prep Operator at the S1 Plant. I have worked in this position since August 2016. Previously I worked as a Shipping floater from March 2015 to August 2016 and as a Pasting Takeoff from January 2013 to March 2015.

3. As a Plate Prep Operator, I am responsible for getting battery plates ready to be placed into battery cells, drive a tow motor and stack truck to deliver materials.

4. I am on first shift. I work Monday through Friday. I am paid \$22 /hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Plate Prep Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; respirator; and occasionally a hard

Ex. 1002-067

exhibitster.com

hat. I put on my uniform and safety shoes in the locker room. I put on my safety glasses and respirator while walking from the locker room to my work station. I put on my earplugs, hard hat and gloves at my work station.

6. I usually arrive to the S1 Plant at 6:35am. Once I arrive I grab my uniform out of my locker, change, go into the lunchroom and sit down, punch in and then I go onto the floor.

7. It usually takes me 5 minutes to change into my uniform and 3 minutes to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:20pm. I am allowed to leave the floor at 2:35pm.

9. Once I leave the floor, I perform the following activities: remove my uniform and shower, wait to scan out at the timeclock, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22th day of March 2019 in Lyon Station, Pennsylvania.



Johnlee Burgos

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DOMINIQUE JOSE BURGOS - FIGUEROA

1. My name is Dominique Jose Burgos – Figueroa. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June of 2017. My current position is Paste Machine Operator at the A4 Plant. I have worked in this position since July of 2018. I previously worked as a Paste Clean Up at the A4 Plant. I worked in this position from June of 2017 through July of 2018

3. As a Paste Machine Operator, I am responsible for making sure the Machine has paper, that is pasted, that it is cut correctly and to make sure everything is done to specifications.

4. I work the second shift. I work Monday through Friday. I am paid \$19.75, plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Paste Machine Operator, I wear the following personal protective equipment:
a Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield during wash-downs;
and a Respirator. I put on my Uniform; Safety Glasses; Steel-Toe Boots; in the locker room. I

Ex. 1002-068

111037

put my Gloves; Ear Plugs at my workstation. I put on my Face Shield during wash-downs and Respirator as needed at my work station.

6. I usually arrive to the A4 Plant at 1:31 p.m. Once I arrive I clock in, I eat first then change into my work clothes. After that I go to my workstation

7. It usually takes me 1 to 2 minutes to change into my uniform, my boots and glasses and walk to my workstation. I put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 9:45p.m. I am allowed to leave the floor at 9:50 p.m.

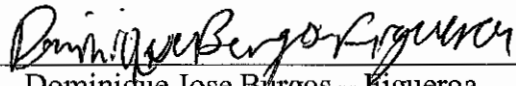
10. Once I leave the floor, I perform the following activities: I go to the lockers, change and while heading to the shower I put my dirty laundry in the bin. Then I shower and towel off and then I change into my street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March, 2019 in Lyon Station, Pennsylvania.


Dominique Jose Burgos - Figueroa

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF KEITH BURKERT

1. My name is Keith Burkert. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June 1994. My current position is a Reader at the S1 Plant. I have worked in this position since November 1999.

3. As a Reader, I am responsible for wiring and taking reads on batteries and then unwiring them.

4. I work the first shift. I work Monday through Friday and most Saturdays.

5. I am paid \$19.75/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Reader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Face shield. I put on my uniform, glasses and safety shoes in the locker room. I put on my gloves and Face shield at my work station.

Ex. 1002-069

exhibitster.com

7. I usually arrive to the S1 Plant at 6:20am. Once I arrive I usually punch in, grab my uniform, go get changed in the locker room and then head to the floor.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my workstation.

9. I usually stop work at my work station either at 2:15pm depending on my job. I am allowed to leave the floor at 2:20pm.


10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22st day of March 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Keith Burkert', written over a horizontal line.

Keith Burkert

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JASON M. BUSCH

1. My name is Jason M. Busch. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 2014. My current position is Leader of Raw Fill, Formation, and Finishing at the Industrial Automotive Plant. I have worked in this position since December of 2018. I previously worked as a Finish Line Leader at the S1 Plant. I worked in this position from August of 2017 through December of 2018. Previous to the above-mentioned positions, I held two (2) other positions: a plate prep machine operator at the S1 Plant from August 2014 to February 2017 and a pasting leader at the S1 Plant from February 2017 to August 2017.

3. As a Leader of Raw Fill, Formation, and Finishing, I am responsible for giving daily work assignments to over 50 operators in the three (3) departments.

Ex. 1002-070

JMB

4. I work the second shift. I work Monday through Friday. I work overtime each scheduled workweek day and on weekends as necessary. I am paid \$24.90/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Leader of Raw Fill, Formation, and Finishing, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs as required; Face Shield as required; and Hard Hat as required. I put on my uniform and boots in the locker room. I put on my safety glasses while walking from the locker room to my work station. I put on my Gloves; Ear Plugs; Face Shield; and Hard Hat at the work stations of my operators,

6. I usually arrive to the Industrial Automotive Plant at 1:15 PM. Once I arrive I get my uniform, change into my uniform and boots, go to café to read, and wait to clock in.

7. It usually takes me four (4) minutes to change into my uniform and boots and walk to my workstation. I put on my safety glasses while walking to my workstation.

8. There is a five (5) minute grace period after my shift starts to report to my workstation.

9. As a leader, I usually stop work upon completion of my paperwork and the successful transition to third shift supervision. I leave the floor when my work is completed. As a leader, I do not have a scheduled shift end time.

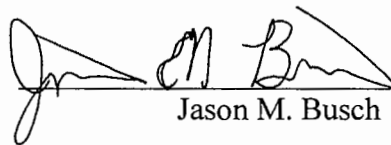
10. Once I leave the floor, I perform the following activities: hand in second shift folder to office, change out of uniform and boots, shower, change into street clothes, and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of March, 2019 in Lyon Station, Pennsylvania.


Jason M. Busch

4. I work the third shift. I work Monday through Friday. I am paid a base rate of \$19.95/hr., with shift differential and exclusive of production incentives. I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Pasting Department Floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves (multiple varieties); Respirator; and Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on other forms of my PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant at 9:45 PM. Once I arrive, I clock in immediately and then change my clothes. Afterwards, I use the restroom and then walk to my workstation in the Pasting Department and begin work.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots and walk to my work station. I put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work between 6:00 and 6:05 AM. I then leave the floor at 6:05 AM and walk to the locker room.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Shawn Butler", is written over a horizontal line.

SHAWN BUTLER

5. As a Plate Wrap Operator, I wear the following personal protective equipment: a Uniform, Steel-Toe Boots, Safety Glasses, Gloves, and Ear Plugs. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in the locker room. I put on my Gloves, Ear Plugs at my work station.

6. I usually arrive to the Industrial Plant at 9:35p.m. Once I arrive I get my Uniform, I get dressed, I put on my Steel-Toe Boots and Safety Glasses, and then I punch in. I then wait in the locker room until it is time to walk to my department.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots, Safety Glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:35a.m. I am allowed to leave the floor at 5:50a.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower, towel off. I then return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

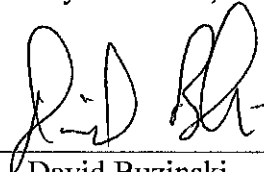
10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of April, 2019 in Lyon Station, Pennsylvania.



David Buzinski

Shield as needed. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs, Hard Hat as needed and Face Shield as needed at my work station.

6. I usually arrive to the A4 Plant at 9:20p.m. Once I arrive in I go to my uniform locker and remove my uniform and gear and go to my personal locker to get dressed. Then I go to the lunch room until it is time to punch in. Then I punch in and then I go to the floor to my workstation to start the day.

7. It usually takes me two minutes to get dressed to change into my uniform and boots and put on my safety glasses. It takes me three minutes walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:00a.m. I am allowed to leave the floor at 6:05a.m.

10. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel dry. I then return to my locker and put my street clothes on. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Daniel Caballero', is written over a horizontal line.

Daniel Caballero

6. I usually arrive to the Central Services Plant at 10:45p.m. Once I arrive I Punch in, then I get my uniform and go to my personal locker and change into my Uniform, Steel-Toe Boots, Safety Glasses and Gloves. I then go to the Laundry room.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots, Safety Glasses and gloves, and walk to the laundry.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:15a.m. I am allowed to leave the floor at 6:50a.m.

10. Once I leave the floor, I perform the following activities: I go the locker room, and remove my boots. I then grab what I need for the shower, along with my street clothes and head for the shower. I then change out of my uniform and take my shower and then I towel off. I then put on my street clothes. I then take my used uniform and put it in the laundry bin. Next I return to my locker. Then I put everything away, leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12 day of April, 2019 in Lyon Station, Pennsylvania.



Ashley Camps

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF KEVIN CANALS-ORTIZ

1. My name is Kevin Canals-Ortiz. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October of 2012. My current position is Enveloper Series II at the A4 Plant. I have worked in this position since Enveloper Series II since October of 2012.

3. As an Enveloper Series II, I am responsible for taking plates off the rack; I break them up and feed the plates into the machine.

4. I work the third shift. I work Monday through Friday. I am paid \$19.60 per hour, plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an Enveloper Series II, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs and a Respirator as needed. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs and Respirator as needed at my work station.

Ex. 1002-075

exhibits.stucker.com

6. I usually arrive to the A4 Plant at 10:20p.m. Once I arrive, I punch in. I go my uniform locker and remove my uniform and gear and go to my personal locker to get dressed. Then I go to the floor and to my workstation to start the day.

7. It usually takes me about five minutes to change into my uniform and boots and glasses and to walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:10a.m. I am allowed to leave the floor at 6:20a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.



Kevin Canals-Ortiz

5. As a Gel Fill, I wear the following personal protective equipment: a Uniform, Steel-Toe Boots, Safety Glasses, Gloves; Ear Plugs as needed and Face Shield. I put on my Uniform, Steel-Toe Boots and Safety Glasses in the locker room. I put on my Gloves; Ear Plugs as needed and Face Shield at my work station.

6. I usually arrive to the S1 Plant at 10:00p.m. Once I arrive I punch in. I grab my uniform, boots and safety glasses. I go to my locker and change. I then walk to Gel Fill. I can pick up my other PPE at my work station.

7. It usually takes me six of minutes to change into my uniform, boots and safety walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 6:10a.m. I am allowed to leave the floor at 6:20a.m.

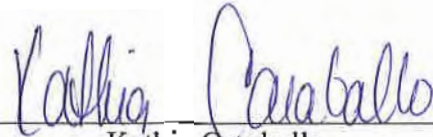
10. Once I leave the floor, I perform the following activities: I return to the locker room and I remove my boots. I then put my boots in my locker. I then take my uniform off and then I put my used uniform in the laundry bin. Then I grab my street clothes and everything I need for the shower and go to the shower. I shower and towel off. After that I get dressed. Then I then I return to my locker and get my purse and keys. I then punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of April, 2019 in Lyon Station, Pennsylvania.


Kathia Caraballo

6. I usually arrive to the S1 Plant at 2:34PM. Once I arrive I get my uniform and punch in. I go to the locker room to change and head to the floor.

7. It usually takes me 4 minutes to change into my uniform and 1 minute to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:35 pm. I am allowed to leave the floor at 10:35 pm

9. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform and shower, put my street clothes on, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Adam Cassel".

Adam Cassel

6. I usually arrive to the A2 Plant at 2:15 p.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me four minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:14 p.m. I am allowed to leave the floor at 10:16 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of April, 2019 in Lyon Station, Pennsylvania.


YOKARINA CASTILLO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF SILVIO CASTRO

1. My name is Silvio Castro. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since December 2006, with a year break from September 2016 to September 2017. My current position is enveloper series 2 at the A2 Plant. I have worked in this position since about October 2018. I previously worked as a floater at the A2 Plant. I worked in this position from September 2017 through October 2018. Before leaving employment at the Company for a period of one year, I previously worked as a floater at A2. I worked in that position from about 2011.

3. As an enveloper series 2, I am responsible for operating a machine that makes envelopes and battery groups.

4. I work the second shift. I work Monday through Friday. I am paid at least \$19.60/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-079

exhibitsticker.com

5. As an enveloper series 2, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Respirator. I put on my Uniform, Boots, and Safety Glasses in the locker room. I put on my Gloves, Ear Plugs, and Respirator at my work station.

6. I usually arrive to the A2 Plant at 2:30 p.m.. Once I arrive I clock in, grab my uniform from my locker, dress, and go onto the work floor.

7. It usually takes me 8 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my workstation in order to talk to individuals from the prior shift.

9. I usually stop work at my work station at 10:15 p.m. and perform clean up. I am allowed to leave the floor at 10:35 p.m.

10. Once I leave the floor, I perform the following activities: if I have a respirator, I put it in my bin, then go to my locker, undress, but dirty clothes in the bins, shower, get dressed in my street clothes, and clock out. I sometimes wait to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.

Silvio Castro
Silvio Castro

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF RICARDO CEBALLOS

1. My name is Ricardo Ceballos. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since September of 2014. My current position is Forming Room Attendant in S-1 Plant. I have held this position since February of 2016. Prior to that, I was a Floater – Injection Molding from September of 2014 to February of 2015. From February of 2015 to February of 2016, I was a Floater – Assembly. As a Forming Room Attendant, I deposit grid plates for charging in an acid bath, and then monitor the acid level during the charging process.

3. I work the third shift. I work Monday through Friday. I am paid approximately \$21.00/hr., inclusive of shift differential and incentive compensation. I receive time and a half pay for all hours worked over forty in a workweek.

4. As a Forming Room Attendant, I wear the following personal protective equipment: Uniform; Safety Glasses; Gloves; Apron; Goggles; Respirator; Face Shield and Steel-Toe Boots. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. The other elements of my PPE I put on, as necessary, at my work station.

5. I usually arrive to the S-1 Plant at 9:50 PM and perform personal tasks until clocking in, after which I gather my uniform and my boots, change my clothes and then go directly to my work station.

6. It usually takes me about 5 minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

7. I usually stop work at my work station at 6:00 AM, at which time I spend 5 minutes cleaning my work area. Then, I leave the floor at 6:05 AM.

8. Once I leave the floor, I perform the following activities: walk to the locker room, remove my uniform, shower, dress in my street clothes, and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

9. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

10. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4 day of April 2019 in Lyon Station, Pennsylvania.



RICARDO CEBALLOS

6. I usually arrive to the A3 Plant at 6:35 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:30 p.m. I am allowed to leave the floor at 2:35 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Dionisio Cespedes', is written over a horizontal line.

DIONISIO CESPEDES

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF VICTOR CESPEDES-VILCHEZ

1. My name is Victor Cespedes-Vilchez. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since December 2018. My current position is Plant to Plant Material Handler at the S1 Plant. I have worked in this position since December 2018.

3. As a Plant to Plant Material Handler, I am responsible for moving pallets, covers, parts, boxes, driving the van and/or box truck between plants, and moving recyclables between plants.

4. I work the second shift. I work Monday through Friday.

5. I am paid \$20.85/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-082

exhibitster.com

6. As a Plant to Plant Material Handler I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Earplugs; and Hard Hat when needed.

7. I put on my uniform and safety shoes in the locker room. I put on my safety glasses on my way to the work station. Once I get to my workstation, I put gloves, earplugs, and hard hat on.

8. I usually arrive to the S1 Plant at 2:30PM. Once I arrive I grab my uniform, change into my uniform in the locker room, clock in, and then head to workstation.

9. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my workstation.

10. I usually stop work at my work station at 10:30PM. I am allowed to leave the floor at 10:35pm.


11. Once I leave the floor, I perform the following activities: Walk to the locker room undress, shower, change back into street clothes, and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

12. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

13. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22st day of March 2019 in Lyon Station, Pennsylvania.



Victor Cespedes-Vilchez

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF SUE CHATTIN

1. My name is Sue Chatten. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since September 2005. My current position is Quality Assurance Leader at the A-2, A-1, IM-2, and Topton Distribution Center. I have worked in this position since June of 2010. Previously, I worked as a Quality Inspector in the A-3 Plant from February of 2006 until June of 2010.

3. As a Quality Assurance Leader, I am responsible for monitoring the work of 21 Quality Inspectors who ensure that the Company's product complies with customer specifications. I also work on Six Sigma projects and data collection for continuous improvement processes.

4. I work the second shift. I work Monday through Friday. I am paid a base rate of \$25.10/hr., including shift differential. As a Quality Assurance Leader, I work and am paid for

at least 8.5 hours each work day. I am permitted to work up to, but not more than, 9.0 hours per work day. I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Quality Assurance Leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Face Shield and Steel-Toe Boots. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses in my office and my Face Shield, when necessary, on the work floor.

6. I usually arrive at my office at the A-2 Plant between 2:17 and 2:18 PM. Once I arrive, I clock in immediately and then change my clothes. After changing, I proceed immediately to my office on second floor of the A-2 building.

7. It usually takes me 5 minutes to change into my Uniform and Boots and walk to my second floor office. Sometimes, I stop for a soda in the break room before going to my office.

8. I usually stop work between 10:50 and 11:20 PM. I can leave my office at my discretion, so long as I allow 10 minutes to walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes.

9. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, reading "Sue Chatten", is written over a horizontal line.

SUE CHATTIN

7. I usually arrive to the A1 Plant at 5:30am. Once I arrive I grab my uniform, go into the locker room, change into my uniform, then sit in the locker room, and then clock in and head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 3 minutes to walk to my work station.

9. I usually stop work at my work station at 2:05pm. I am allowed to leave the floor at 2:20PM.


10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, and clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April 2019 in Lyon Station, Pennsylvania.



Ellen Christman

7. I usually arrive to the A1 Plant at 6:00am. Once I arrive I will go into the locker room, change into my uniform, go into the lunchroom, have a cup of coffee, clock in, then sit in the lunch room, and then head for my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 2:00PM. I am allowed to leave the floor at 2:20PM.

10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, and punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April 2019 in Lyon Station, Pennsylvania.


Neal Christman

7. I usually arrive to the S1 Plant at 1:47pm. Once I arrive I get my uniform, punch in, change and head right to the floor.

8. It usually takes me 3 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 9:50pm. I am allowed to leave the floor at 9:50pm.

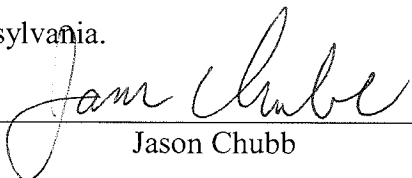
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March 2019 in Lyon Station, Pennsylvania.


Jason Chubb

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ANGEL L. CITRON

1. My name is Angel L. Citron. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October of 2013. My current position is Water Treatment Operator at the Water Treatment Plant. I have worked in this position since October of 2015.

3. As a Water Treatment Operator, I am responsible for the day to day operation of the Water Treatment Plant.

4. I work the third shift. I work Monday through Friday. I am paid \$24.20 and I receive time and a half pay for all hours worked over forty in a workweek. I work punch to punch.

5. As a Water Treatment Operator, I wear the following personal protective equipment: a Uniform, Steel-Toe Boots, Safety Glasses, Gloves, Ear Plugs, Apron as needed, Face Shield as needed, Respirator as needed and Hard Hat as needed. I put on my Uniform,

Ex. 1002-087

exhibitster.com

Steel-Toe Boots, Safety Glasses, in the locker room. I put on my Gloves, Ear Plugs, Apron as needed, Face Shield as needed, Respirator as needed and Hard Hat as needed at my work station.

6. I usually arrive to the Water Treatment Plant at 10:50p.m. Once I arrive I punch in. I then get my uniform and go to my personal locker and change into my Uniform, Steel-Toe Boots and Safety Glasses. I then go to the Water Treatment Plant control room to start my day.

7. It usually takes me six minutes to change into my Uniform, Steel-Toe Boots and Safety Glasses and walk to the control room. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I occasionally use this grace period to report to my workstation.

9. Once I leave the Control Room, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13th day of April, 2019 in Lyon Station, Pennsylvania.



Angel L. Citron

Protection/Harness (when required); Protective gear for arc flash (used for electrical testing); Rubber gloves (used for electrical testing); Arc rated shirt (used for electrical testing); Vitriol Suit (when required). I put on my uniform, boots and safety glasses in the locker room. I put on my Face Shield (when required); Gloves; Ear Plugs (when required); Respirator (when required); Hard Hat (when required); Fall Protection/Harness (when required); Protective gear for arc flash (used for electrical testing); Rubber gloves (used for electrical testing); Arc rated shirt (used for electrical testing); Vitriol Suit (when required) at my work station.

6. I usually arrive to the Central Services Plant at 5:55 am. Once I arrive I drop my lunch box in the lunchroom, go to my clothing locker, get my work clothing, go to my personal locker, get changed, walk to my workstation.

7. It usually takes me three minutes to change into my uniform, boots and safety glasses. It usually takes less than a minute to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my work station. I occasionally use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:45 pm. I am allowed to leave the floor at 2:50 pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, go to the bathroom, wash my hands before taking a shower, go to my personal locker, get undressed, go take my shower, go back to my personal locker, put on my street clothes, drop work clothes in dirty clothing bins, go to lunch room, get lunch box, go to punch clock, punch out.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29 day of March, 2019 in Lyon Station, Pennsylvania.


AARON J. CLAY

7. I usually arrive to the A1 Plant at 5:49am. Once I arrive I punch in, grab my uniform, change, and then head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 1:40pm. I am allowed to leave the floor at 1:50pm.

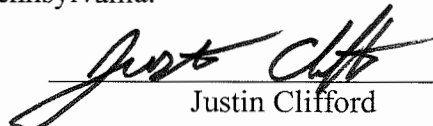
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April 2019 in Lyon Station, Pennsylvania.


Justin Clifford

7. It usually takes me 5-6 mins to change my shoes and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my workstation.

9. I usually stop work at my work station between 10:20 and 10:23 PM. I am allowed to leave the floor at 10:25 PM.

10. Once I leave the floor, I perform the following activities: change clothes, (showering sometimes), then clock out. The five minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities. I am not required to shower.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26 day of March, 2019 in Lyon Station, Pennsylvania.


MAYRA COELLO

6. I usually arrive to the S1 Plant at 10:32 p.m. Once I arrive I get my uniform, clock in, change in to my uniform, and walk to the work floor.

7. It usually takes me 6 minutes to change into my uniform and 2 minutes to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:20 a.m. and perform clean-up. I am allowed to leave the floor at 6:35 a.m.


9. Once I leave the floor, I perform the following activities: go to the locker room, take off my uniform and under clothing, get my shower supplies, shower, change in to my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this April day of 5th, 2019 in Lyon Station, Pennsylvania.



Hector Colon

5. As a Rotating Cleanup, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Coveralls; Face Shield; Respirator; Hard Hat. I put on all of my personal protective equipment in the locker room.

6. I usually arrive to the Smelter Plant at 3:25 p.m. Once I arrive I go to the lunch room and drop off my lunch. I then go downstairs and get my uniform and respirator. I then go up to the clean locker room and change into my uniform. From there I go to the dirty locker room and get my boots and safety glasses. I then hang out talking with other co-workers until it is time to clock in. At around 3:49 I will head to the floor to clock in.

7. It usually takes me ten minutes to change into my uniform, boots and any other personal protective equipment and walk to my workstation.

8. There is a ten minute grace period after my shift starts to report to my workstation. I frequently use this grace period to report to my workstation.

9. I usually stop work at my work station and clock out at 11:55 p.m. (which automatically adjusts to 12:15 a.m.), at which time I am allowed to leave the floor.

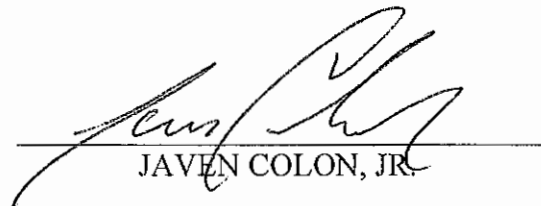
10. Once I leave the floor, I perform the following activities: I clock out, go to the dirty locker, put my boots and safety glasses in the locker, remove my uniform and place it in the laundry chute, shower, dress in my street clothes and leave. The twenty minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March, 2019 in Lyon Station, Pennsylvania.



JAVEN COLON, JR.

5. As a die caster, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Work Gloves, Regular Heat Gloves, Long Sleeve Heat Gloves; Ear Plugs; and Face Shield as necessary. I put on my Uniform; Safety Glasses; and Steel-Toe Boots in the locker room. I put on my Work Gloves, Regular Heat Gloves, Long Sleeve Heat Gloves; Ear Plugs; and Face Shield at my work station.

6. I usually arrive to the Smelter Annex Plant at 2:30 PM. Once I arrive I go to the lunch room to put my lunch bag away, go to my uniform locker to get my uniform, go to my personal locker, change from my street clothes into my uniform and steel-toe boots, put on my safety glasses, and go to lunch room and wait to clock in.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, put on my safety glasses, and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 10:40 PM. I am allowed to leave the floor at 10:50 PM.

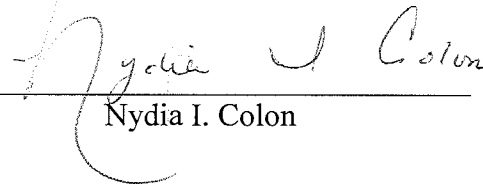
10. Once I leave the floor, I perform the following activities: put my time sheet into the box, get towels, go to my personal locker, get my street clothes, go to the shower to take shower and to change into my street clothes, put my uniform and towels into laundry bins, go to the lunch room to get my lunch bag, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.



Nydia I. Colon

4. I work the first shift. I work Monday through Friday. Occasionally, I work voluntary overtime on Saturdays. I am paid \$18.90 an hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a raw fill worker, I wear the following personal protective equipment: uniform, safety glasses, steel-toe boots, gloves, ear plugs as needed, and goggles when needed. I put on my uniform and boots in the locker room. I put on my safety glasses as I enter the production floor. At my work station, I put on my gloves. I put in ear plugs and put on my goggles at the work station when I am doing the work that needs those devices.

6. I usually arrive to the A4 Plant at about 6:30 a.m. Once I arrive I clock in right away. Then I go to change into my uniform and boots.

7. It usually takes me nine minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at between 2:20 and 2:25 p.m. It depends on the line she is working. For instance, the AGM line shuts off at 2:20, but if she's on the automotive line they might go to 2:25 p.m. I am allowed to leave the floor at 2:34 p.m. for both lines.

10. Once I leave the floor, I perform the following activities: I take my uniform off and then take a shower. Then, I put my street clothes on and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of march, 2019 in Lyon Station, Pennsylvania.



Carolina Concepcion-Abad

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ROYCE B. CONNOR, JR.

1. My name is Royce B. Connor, Jr. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since December of 2009. My current position is Pasting Leader at the A4 Plant. I have worked in this position since October of 2011. I previously worked as a Pasting Machine Operator at the A4 Plant. I worked in this position from May of 2010 through October of 2011.

3. As a Pasting Leader, I am responsible for Supplying gloves for all employees on the shop floor, assisting in shift change overs, I get the lines running at the beginning of the shift; I troubleshoot broken machines, maintain quality assurance, I fill out daily paper reports, I hand out paychecks, I cover for missing employees, I total end of shift production numbers and fill out written reports for each line.

Ex. 1002-095

exhibitsticker.com

4. I work the second shift. I work Monday through Friday. I am paid \$24 to \$25 per/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Pasting Leader, I wear the following personal protective equipment: I put on my a Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Gloves; Ear Plugs; Face Shield if grinding; Respirator as needed; Hard Hat as needed, at my work station.

6. I usually arrive to the A4 Plant at 1:10 p.m. Once I arrive I clock-in, I get dressed in my uniform and, if time permits, I speak to fellow employees in the hallway, if not, I go directly to the pasting department.

7. It usually takes me 5 minutes to change into my uniform and boots. I can put on my other PPE while at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 9:45 p.m. I am allowed to leave the floor at 9:50 p.m. Because I am a Pasting Leader I have other duties at the end of shift so I am allowed to leave a little later.

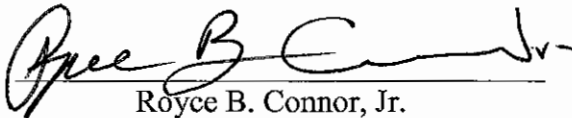
10. Once I leave the floor, I perform the following activities: I go straight to my locker. I get out of my uniform. I take the items that need to be washed and place them in the laundry bin, and then I shower. After I shower I towel off and get into my street clothes. After I change my clothes I clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of march, 2019 in Lyon Station, Pennsylvania.


Royce B. Connor, Jr.

6. I usually arrive to the A4 Plant at 9:35p.m. Once I arrive I go put my lunchbox on the shelf. I then go my uniform locker and remove my uniform and gear and go to my personal locker to get dressed. Then I go I punch in and go to the floor to my workstation to start the day.

7. It usually takes me about 5 minutes to change into my uniform and boots and glasses and to walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift start to report to my work station.

9. I usually stop work at my work station at 5:45p.m. I am allowed to leave the floor at 5:50p.m.

10. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this ^{27th} day of ^{March} ~~2/17~~, 2019 in Lyon Station, Pennsylvania.



Jacob Conrad

Hat as needed. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Gloves, Ear Plugs, Respirator as needed and a Hard Hat as needed at my work station.

6. I usually arrive to the S1 Plant at 9:30p.m. Once I arrive I grab my uniform and wait to punch in. Once I punch in I get changed into my Uniform and Steel-Toe Boots and then I walk to the formation room and my workstation.

7. It usually takes me five minutes to change into my Uniform and Steel-Toe Boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:40a.m. I am allowed to leave the floor at 6:05a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove my boots; then I put my boots away. If necessary I will wash off in the tub sink. Then I remove my uniform. I then take my used uniform and put it in the laundry bin. I then take my shower and I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

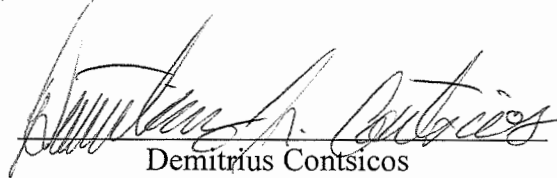
10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.


Demetrius Contsicos

5. As a Quality Assurance Auditor, I wear the following personal protective equipment: Uniform; Safety Glasses; Respirator; Gloves and Steel-Toe Boots. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses in my office and other PPE, when necessary, on the work floor.

6. I usually arrive at the IND Building at 9:40 PM. Once I arrive, I wait for a few minutes to clock in and then I change my clothes. After changing, I proceed immediately to my QA desk in the department to check emails and the status of issues I have identified on previous shifts.

7. It usually takes me 5 minutes to change into my Uniform and Boots and walk to my desk.

8. I usually stop work at 5:40 AM and then meet up with other Quality Assurance Auditors to discuss quality issues for a few minutes after which I head to the locker room. I am permitted to leave the work floor at 5:50 AM

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Eugene Cooper", is written over a horizontal line.

EUGENE COOPER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF TANYA L. COOPER

1. My name is Tanya L. Cooper. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since July of 2006. My current position is Hyrator at the A-4 Plant. I have worked in this position since January of 2016. I previously worked as a Dry End Finisher at the A-4 Plant. I worked in this position from November 2008 to January of 2016.

3. As a Hyrator, I am responsible for checking batteries for defects, maintaining machinery and maintaining the production line.

4. I work the third shift. I work Monday through Friday. I am paid \$19.10/hr. plus a variable production bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Hyrator, I wear the following personal protective equipment (PPE): Uniform; Safety Glasses; Steel-Toe Rubber Boots; Gloves; Ear Plugs. I put on my Uniform,

Ex. 1002-099

Safety Glasses and Steel-Toe Rubber Boots in the locker room. I put on my Gloves and Ear Plugs at my work station.

6. I usually arrive to the A-4 Plant at 9:00 pm. Once I arrive, I grab my uniform, put on my uniform, boots and glasses, drink coffee, read the newspaper and wait to clock in.

7. It usually takes me 5 to 7 minutes to change into my uniform, safety glasses and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:03 am. I am allowed to leave the floor at 6:05 am.

10. Once I leave the floor, I perform the following activities: walk to locker room, undress, shower, put on my street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March, 2019 in Lyon Station, Pennsylvania.



TANYA L. COOPER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JASON CORONA

1. My name is Jason Corona. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November 2018. My current position is forming room operator at the S1 Plant. I have worked in this position since November 2018.

3. As a forming room operator, I am responsible for pulling the plates out of the tanks, stacking the positive plates onto skids, attaching the negative plates to buggies.

4. I work the third shift. I work Monday through Friday. I am paid at least \$19/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a forming room operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Rubber Boots; Gloves; Goggles; Apron; and Respirator. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves; Goggles; Apron; and Respirator at my work station.

Ex. 1002-100

exhibitster.com

6. I usually arrive to the S1 Plant at 10:02 p.m. Once I arrive I punch in, go to my uniform locker, go to the locker room and grab my boots which are near the locker room entrance, go to my personal locker and change into my uniform, and go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:30 a.m. and perform clean-up and help other workers complete their work if they are running behind. I am allowed to leave the floor at 6:05 a.m.

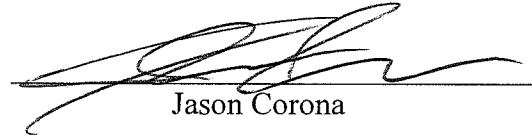
9. Once I leave the floor, I perform the following activities: I take off my boots and put them on the boot shelf, undress and put my uniform in bins, shower, change in to my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April, 2019 in Lyon Station, Pennsylvania.



Jason Corona

5. As an Acid Leveler Capper, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Face Shield. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs, and Face Shield at my work station.

6. I usually arrive to the A3 Plant at 2:25 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, go to the lunch room until it is time to report to my work station, then go to my work station.

7. It usually takes me three minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:30 p.m. I am allowed to leave the floor at 10:35 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April, 2019 in Lyon Station, Pennsylvania.



ORLANDO COTTO-RAMOS

5. As a COS enveloper, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves and Ear Plugs at my work station.

6. I usually arrive to the Industrial Automotive Plant at 10:05 p.m. Once I arrive I go to my uniform locker, go to the locker room and get changed, clock in, and walk to the work floor.

7. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:05 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

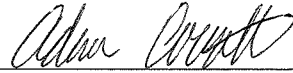
9. Once I leave the floor, I perform the following activities: I walk to the locker room, undress, place my uniform into the appropriate bins, shower, dry off, change into my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Adam Covatta", written over a horizontal line.

Adam Covatta

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DAVID CRAMSEY

1. My name is David Cramsey. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October of 2007. My current position is Enveloper Series II at the S1 Plant. I have worked in this position since October of 2007.

3. As an Enveloper, I am responsible for working on a machine to make battery cells.

4. I work the first shift. My shift begins at 7am and ends at 3pm. I work Monday through Friday. I am paid \$19.30 /hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an Enveloper, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Respirator for a half shift. I put on my

Ex. 1002-103

exhibitster.com

Uniform; Safety Glasses; Steel-Toe Boots in the locker room. I put on my gloves, hearing protection and put my respirator on in the middle of my shift at my work station.

6. I usually arrive to the S1 Plant at 6:30am. Once I arrive I sit in my car until 6:45am and then come into the building. I then clock in, get my uniform on and go to the plant floor.

7. I usually scan my time card to clock in at 6:46am.

8. It usually takes me 3-4 minutes to change into my uniform. After I have changed into my uniform, I clock in.

9. I usually arrive at my work station at 6:55am. It helps me to be prepared for my piece rate job to be on time so I am never late. I start work at 7am. There is a five minute grace period after my shift starts to report to my workstation.

10. I usually stop work at my work station at 2:40pm. Then, I clean up my work station. I am allowed to leave the floor at 2:50pm.

11. It usually takes me 1 minute to walk to the locker room and 1 minute to change out of my uniform.

12. It usually takes me 7 minutes to shower and change at the end of my shift.

13. After my shift ends, I usually punch out right at 3pm or a couple seconds afterwards.

14. I usually scan my time card to clock out at 3pm.

15. I usually leave the S1 Plant at 3pm.

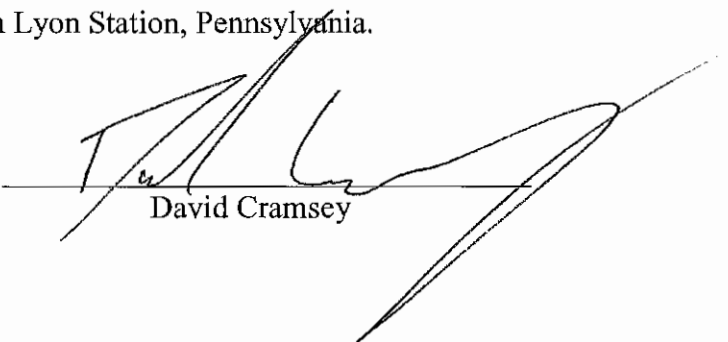
16. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

17. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

18. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of March, 2019 in Lyon Station, Pennsylvania.



David Cramsey

6. I usually arrive to the A4 Plant at 9:50p.m. Once I arrive I get my uniform, I get dressed put on my boots and I wait in the hallway to punch in and I walk to my department.

7. It usually takes me five minutes to change into my uniform and boots and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:55a.m. I am allowed to leave the floor at 6:05a.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of MARCH, 2019 in Lyon Station, Pennsylvania.



Sheila Crutcher

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF HECTOR CRUZ

1. My name is Hector Cruz. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since September of 2018. My current position is Dynamac Operator in the S-1 Plant. I have held this position since the inception of my employment. As a Dynamac Operator, I take battery groups and, using lead straps, create a connection between positive group terminals (also known as “cells”) and negative group terminals.

3. I work the third shift, Monday through Friday. I am paid approximately \$21.00/hr., inclusive of shift differential but exclusive of incentive compensation. I receive time and a half pay for all hours worked over forty in a workweek.

4. As a Dynamac Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Gloves (various types); Ear Plugs; Respirator; Face Shield; Thermal Protective Sleeves; and Steel-Toe Boots. I put on my Uniform, Safety Glasses and Steel-Toe

Boots in the locker room. The other elements of my PPE I put on, as necessary, at my work station.

5. I usually arrive at the S-1 Plant at 10:45 PM. I clock in immediately and then gather my uniform and change my clothes. Afterwards, I walk directly to my work station on the plant floor.

6. It usually takes me about 5 minutes to change into my uniform, safety glasses and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

7. I usually stop work at my work station at 6:50 AM, at which time I leave the floor for the locker room.

8. Once I leave the floor, I perform the following activities: walk to the locker room, remove my uniform, shower, dress in my street clothes, and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

9. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

10. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Hector Cruz", is written over a horizontal line.

HECTOR CRUZ

Glasses, and Steel-Toe Boots in the locker room. I put on my other forms of PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant about 10:07 PM. Once I arrive, I gather my uniform, change my clothes, and put my lunch in my locker. After changing, I clock in and walk to my work station and begin work.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots.

8. I usually stop production work around 6:00 AM. On most work days, I am permitted to leave the floor at 6:00 AM. I am given an extra 5 minutes to travel to my locker because my work station is on the east side of the plant and my locker is on the west side.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.


JAZZLYNN CRUZ

as needed. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in the locker room. I put on my Gloves, Ear Plugs, Face Shield as needed and Respirator as needed at my work station.

6. I usually arrive to the A1 Plant at 10:20p.m. Once I arrive, I punch in I go to my locker. I get changed and then go out to the Pasting Department.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots, and Safety Glasses and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:45a.m.. I am allowed to leave the floor at 6:50a.m.

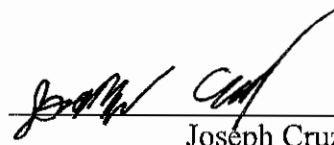
9. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12th day of April, 2019 in Lyon Station, Pennsylvania.



Joseph Cruz

while walking from the locker room to my work station. I put on my Work and heavy gloves at my work station.

6. I usually arrive to the A4 Plant at 6:00 AM. Once I arrive I get uniform, go to the locker room, take off my street clothes, put on my uniform, go to restroom, go to lunch room for coffee and breakfast, and wait to clock in.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:10 PM. I am allowed to leave the floor at 2:18 PM.


10. Once I leave the floor, I perform the following activities: change out of my uniform, shower, put on my street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3 day of 26, 2019 in Lyon Station, Pennsylvania.



Rolando Cruz

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF LISSETTE DAMIANI

1. My name is Lissette Damiani. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since December 2007. My current position is COS floater at the A4 Plant. I have worked in this position since 2012.

3. As a COS floater, I am responsible for training on material handling for new workers, operation of machinery, and rotating through various positions in COS as needed.

4. I work the first shift. I work Monday through Friday. I am paid \$24.59/hr. average and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a COS floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Metatarsal Boots; Gloves; Ear Plugs; Face Shield (as needed); Respirator; and Hard Hat. I put on my Uniform, Boots, and Safety Glasses in the locker room. I put on my Gloves; Ear Plugs; Face Shield (as needed); Respirator; and Hard Hat on the work floor.

Ex. 1002-109

exhibitster.com

6. I usually arrive to the A4 Plant at 6:20 a.m. Once I arrive I get my uniform, go to the locker room and change into my uniform, and go to the work floor.

7. It usually takes me 2 minutes to change into my uniform and less than 1 minute to walk to my workstation. I can put on my other PPE while on the work floor.

8. I usually stop work at my work station at 2:05 p.m. and perform clean-up. I am allowed to leave the floor at 2:17 p.m.

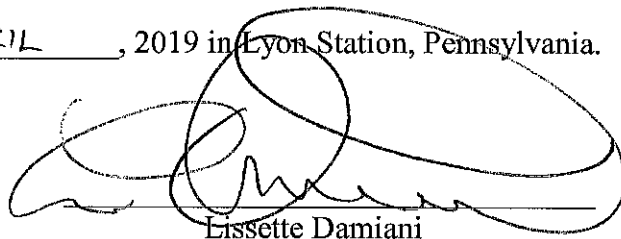
9. Once I leave the floor, I perform the following activities: go to the locker room, get undressed, shower, put on my personal clothing, wait until it is time to clock out, clock out, and leave. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of APRIL, 2019 in Lyon Station, Pennsylvania.



Lissette Damiani

6. I usually arrive to the A3 Plant at 2:30 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, then go to the lunch room and read the paper until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:50 p.m. and I am allowed to leave the floor at that time.

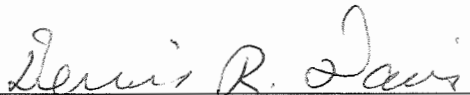
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.


DENNIS R. DAVIS

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF SCOTT V DAVIS

1. My name is Scott Davis. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April of 2006. My current position is Acid Leveler / Capper at the Industrial Automotive Plants. I have worked in this position since August of 2018. I previously worked as a Raw Fill at the A 4 Plant. I worked in this position October of 2015 through August of 2018. I previously worked as a Hy-rater at the A 3 Plant. I worked in this position since December of 2009 through October of 2015.

3. As an Acid Leveler / Capper, I am responsible for pulling leads off batteries, taking batteries off racks, placing batteries on the line, pushing batteries down line, and capping the batteries.

4. I work the First shift. I work Monday through Friday. I am paid \$ 19.10 per hour. I receive a bonus based on my department production incentive and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-111

exhibitster.com

5. As a Acid Leveler Capper, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Face Shield; Gloves; Ear Plugs (optional); plastic sleeves. I put on my uniform, boots and safety glasses in the locker room. I put on my Face Shield; Gloves; Ear Plugs (optional); plastic sleeves and ear plugs (when required) at my work station.

6. I usually arrive to the Industrial Automotive Plant at 6:25 am. Once I arrive I go to my uniform locker, get my work uniform, go to my personal locker, change in my work uniform, go out to time clock, wait to punch in, punch in, go to lunch room, talk to co-workers, leave lunchroom, go to my workstation.

7. It usually takes me three minutes to change into my uniform, boots and safety glasses. It usually takes four minutes to walk from the locker room to my workstation. I put on all my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:28 pm. I am allowed to leave the floor at 2:35 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, get undressed, take shower, get dressed, go out to punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of MARCH, 2019 in Lyon Station, Pennsylvania.


SCOTT V DAVIS

7. I usually arrive to the S1 Plant at 2:36pm. Once I arrive I put my lunch bag in the lunch room, I get my uniform out, go to the locker room, change, punch in and head to the floor.

8. It usually takes me 4 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 10:40pm. I am allowed to leave the floor at 10:50pm.

10. Once I leave the floor, I perform the following activities: walk down the steps, wash my hands, go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March 2019 in Lyon Station, Pennsylvania.


Bryan Degler

uniform, locker room and safety shoes in the locker room. I put on my gloves, face shield, apron and earplugs at my work station.

7. I usually arrive to the S1 Plant at 6:25am. Once I arrive I swipe in, grab my uniform and go get changed, take my lunch box to the lunchroom and head to the floor.

8. It usually takes me 2 minutes to change into my uniform and 1.5 minutes to walk to my workstation.

9. I usually stop work at my work station at 2:25pm. I am allowed to leave the floor at 2:35pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, get a towel and shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Madeline Del Valle", written over a horizontal line.

Madeline Del Valle

6. I usually arrive to the A3 Plant at 10:15 p.m. Once I arrive I get my uniform from my uniform locker, go to the locker room, change into my uniform, go to the lunch room and get a coffee, clock in, go back to my locker and place my keys and badge in my locker, then go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots and 3 minutes to walk to my workstation from my personal locker. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation

9. I usually stop work at my work station at 6:30 a.m. and perform clean-up. I am allowed to leave the floor at 6:35 a.m.

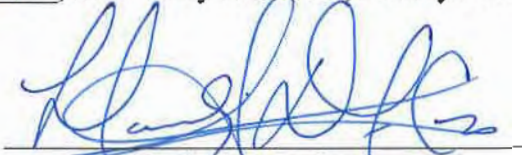
10. Once I leave the floor, I perform the following activities: grab a towel, wash my hands, undress and put my uniform in the bin, grab shower supplies, shower, change into my personal clothing, then clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29 day of March, 2019 in Lyon Station, Pennsylvania.



Marleni DeLaCruz

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DYLAN DELONG

1. My name is Dylan DeLong. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 2013. My current position is a Plate Prep Operator at the S1 Plant. I have worked in this position since November 2013.

3. As a Plate Prep Operator, I am responsible for getting battery plates into a machine, brushing them and skid them to get ready to be formed into battery cells.

4. I am on first shift. I work Monday through Friday. I am paid \$22.41/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Plate Prep Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my uniform and safety shoes in the locker room. I put on my safety glasses while walking from the locker room to my work station. I put on my earplugs and gloves at my work station.

Ex. 1002-115

exhibitster.com

6. I usually arrive to the S1 Plant at 6:30am. Once I arrive grab my uniform out of my locker, punch in, change, then I go onto the plant floor.

7. It usually takes me 3 minutes to change into my uniform and 3 minutes walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime. There is a five minute grace period after my shift starts to report to my workstation.

8. I usually stop work at my work station at 2:20pm. I am allowed to leave the floor at 2:35pm.

9. Once I leave the floor, I perform the following activities: remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is enough for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March 2019 in Lyon Station, Pennsylvania.

 3/26/19

Dylan DeLong

room. I put on my safety glasses while walking from the locker room to my work station. I put on my gloves at my work station.

6. I usually arrive to the Central Services Plant at 1:45 pm. Once I arrive I place my personal items in my personal locker, take my key from my personal locker, go to my uniform locker, get my uniform, put my uniform on the locker bench, go to the lunch room, read the newspaper, drink coffee, go back to the locker room, change into my uniform, go to the time clock, wait in front of the time clock, clock in, go back to my personal locker place my work badge into my personal locker, go back to the lunch room, wait until it is time to start work, go to the laundry utility, pick up Central Services dirty respirators, go to my workstation.

7. It usually takes me three minutes to change into my uniform, boots and safety glasses. It usually takes less than one minute to walk from the locker room to my workstation.

I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:50 pm. I am allowed to leave the floor at 10:50 pm.

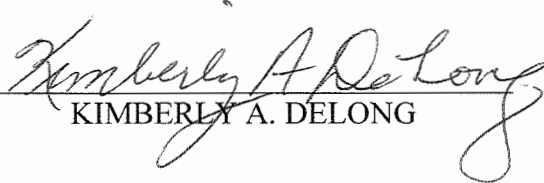
9. Once I leave the floor, I perform the following activities: go outside, speak with my husband, go to the locker room, take off uniform, throw my uniform in dirty bin, go to my personal locker, remove my toiletries, grab towel, go to shower, shower, dry off, get dressed, go to time clock, clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1 day of April, 2019 in Lyon Station, Pennsylvania.


KIMBERLY A. DELONG

5. As a Construction Crew worker, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Hard Hat (when required); Face Shield (when required); Respirator (when required). I put on my uniform, and boots in the locker room. I put on my safety glasses while walking from the locker room to my workstation. I put on my Gloves; Ear Plugs; Hard Hat (when required); Face Shield (when required); Respirator (when required) at my work station.

6. I usually arrive to the Central Services Plant at 6:20 am. Once I arrive I go to the lunch room, put my kettle on the shelf, go to my uniform locker, get uniform out, go to the locker room, go to my personal locker, remove street shoes, take off my street clothes, put on my work uniform, remove my safety glasses from my personal locker, go to the bathroom, wash my hands, go to the lunch room, read a magazine, wait to punch in, walk to time clock, punch in, put on my safety glasses while walking to my workstation, go to my workstation.

7. It usually takes me two minutes to change into my uniform and boots. It usually takes me two minutes to walk from the locker room to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:40 pm. I am allowed to leave the floor at 3:50 pm.

9. Once I leave the floor, I perform the following activities: go to my personal locker, take off my boots and work uniform, grab my personal shower items, go to the shower, take a shower, grab a towel, dry off, go back to my personal locker, put away my personal shower items, put my street clothes on and shoes, place my dirty uniform and towel into the dirty bins, go to the punch clock, wait to punch out, punch out. The ten minutes provided to me at the

end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3RD day of APRIL, 2019 in Lyon Station, Pennsylvania.


MATTHEW W. DeLONG

Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my other forms of PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant between 10:25 and 10:30 PM. Once I arrive, I clock in immediately, gather my uniform and change my clothes. After changing, I drop off my lunch bag on a shelf outside the Break Room and head to my work station to begin working immediately.

7. It usually takes me less than 5 minutes to change into my Uniform, Safety Glasses and Boots.

8. I usually stop production work between 6:20 and 6:25 AM, at which time I clean up my work area. On most work days, I am permitted to leave the floor at 6:30, 5 minutes early, because my locker is on the east side of the plant and my work station is on the west side of the plant.

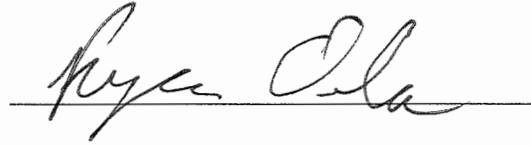
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Ryan Delp", is written over a horizontal line.

RYAN DELP

7. I usually arrive to the A1 Plant at 6:00am. Once I arrive I walk into the locker room, go to my uniform locker and grab my uniform, change into my uniform, then sit in the lunch room and drink a hot chocolate, and then clock in and go to my work station.

8. It usually takes me 2 minutes to change into my uniform and 1 minutes to walk to my work station.

9. I usually stop work at my work station at 2:15pm. I am allowed to leave the floor at 2:20pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, place uniform into the bin, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April 2019 in Lyon Station, Pennsylvania.


Howard Devlin III

6. I usually arrive to the S1 Plant at 6:40am. Once I arrive I grab my uniform out of my locker, take my street clothes off and put it in my personal locker change and then punch in for the day and go to the floor.

7. It usually takes me 5 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a 5 minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:40pm. I am allowed to leave the floor at 2:50pm.

10. Once I leave the floor, I perform the following activities: go to the locker-room, remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March 2019 in Lyon Station, Pennsylvania.



Shawn Dengler

smoke room, eat some breakfast, smoke a cigarette, read the paper, clock in, go to the bathroom, and then head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 3:00pm. I am allowed to leave the floor at 3:05pm.

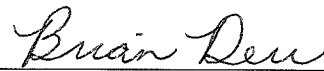
10. Once I leave the floor, I perform the following activities: go to the smoke room and have a cigarette, go to the locker room, take my uniform off, shower, change into my street clothes, clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script that reads "Brian Derr".

Brian Derr

6. I usually arrive to the Industrial Plant at 10:10 p.m. Once I arrive I get my uniform, go to the locker room and get changed, clock in, and go to the work floor.

7. It usually takes me 4 minutes to change into my uniform and 1 minute to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:10 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

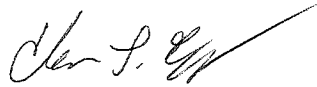
9. Once I leave the floor, I perform the following activities: I go to the locker room, dispose of my ear plugs, get undressed, get a towel, place my uniform in the bins on the way to the shower, shower, change in to my street clothes, place the towel in a bin on the way out of the locker room, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Chris Dewald", written over a horizontal line.

Chris Dewald

6. I usually arrive to the IM1 Plant at 3:59 a.m. Once I arrive I clock in, and go out to the work floor.

7. It usually takes me half a minute to walk to my workstation. I can put on my other PPE, as needed, while at my workstation at the start of my worktime.

8. I usually stop work at my work station at 1:56 p.m. I am allowed to leave the floor at 1:56 p.m.

9. Once I leave the floor, I perform the following activities: I use the bathroom if needed, go upstairs and drop off my radio, go downstairs to get my lunch bag, then clock out, and leave. I am not required to shower. The time allotted to me at the end of my shift to prepare to leave and to leave is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.



ERIC DIAZ

7. I usually arrive to the A1 Plant at 6:30am. Once I arrive I sit down for a little, punch in, go into the locker room, grab my uniform, change into my uniform then go to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my work station. There is a five minute grace period after my shift starts to report to my work station.

9. I usually stop work at my work station at 2:45pm. I am allowed to leave the floor at 2:50pm.

10. Once I leave the floor, I perform the following activities: wash my hands, go to the locker room, take my uniform off, shower, change into my street clothes, clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April 2019 in Lyon Station, Pennsylvania.


Felipe Diaz

5. As a Heat Seal Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Gloves; Ear Plugs; and Steel-Toe Rubber Boots. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my other PPE, as necessary, on the work floor.

6. I usually arrive at the Industrial Building at 9:30 PM. Once I arrive, I gather my uniform and then I change my clothes. After changing, I get something to drink and spend some time talking with co-workers in the Break Room. Then, I clock in and put away my lunch and cell phone in my locker and head to my work station.

7. It usually takes me about 5 minutes to change into my Uniform, Boots and Glasses.

8. Production work ends between 5:25 and 5:30 AM. After that, I spend about 20 minutes cleaning up my work area. I am permitted to leave the work floor at 5:50 AM.

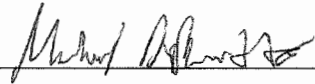
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Michael DiBenedetto", is written over a horizontal line.

MICHAEL DIBENEDETTO

\$27.05/hr. plus weekend shift incentive of \$6/hr., and annual bonuses, and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an EMT, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; A variety gloves; Ear Plugs; Face Shield as needed; and Hard Hat as needed. I put on my uniform, steel-toe boots, safety glasses, and ear plugs in the locker room. I put on my Gloves; Face Shield and Hard Hat at my work station.

6. I usually arrive to the IM1 Plant at 6:30 AM. Once I arrive I go to my uniform locker to get my uniform, go to the lunchroom and put away my lunch bag, go to my personal locker in the locker room, change into my uniform and steel-toe boots, put on my safety glasses, wait to clock in, clock in, and go to my workstation (e.g., maintenance shop).

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, put on my safety glasses, and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five (5) minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:50 PM. I am allowed to leave the floor at 2:55 PM.

10. Once I leave the floor, I perform the following activities: go to my personal locker in the locker room, change from my uniform and steel-toe boots into my street clothes, put my safety glasses in my personal locker, put my uniform in the laundry bin, and clock out. I am not required to take a shower. The ten (10) minutes provided to me at the end of my shift to go to the locker room and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Colton N. Dietrich', written over a horizontal line.

Colton N. Dietrich

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MICHAEL R. DIETRICH

1. My name is Michael R. Dietrich. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since September of 2002. My current position is C.O.S. leader at the A4 Plant. I have worked in this position since August of 2012.

3. As a C.O.S. leader, I am responsible for the efficient operation of my department that includes operator assignments, machine operability, raw stock availability, finish product quality, and safety. Further, my responsibilities include managerial duties regarding my operators.

4. I work the first shift. I work Monday through Friday. I work voluntary overtime when offered. I am paid approximately \$25/hr. and an annual bonus. I receive time and a half pay for all hours worked over forty in a workweek. I am paid punch-to-punch.

Ex. 1002-127

exhibitsticker.com

5. As a C.O.S. leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; a variety of Gloves; Ear Plugs; Respirator as required; and Hard Hat as required. I put on my Uniform; Safety Glasses; and Steel-Toe Boots in the locker room. I put on my other PPE, such as a variety of Gloves; Ear Plugs; Respirator as required; and Hard Hat as required, at the designated work stations.

6. I usually arrive to the A4 Plant at 6:10 AM. Once I arrive I clock in, get my uniform from my uniform locker, go to my personal locker in the locker room, change out of street clothes into my uniform and steel-toe boots, put on safety glasses, and walk to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, put on my safety glass and walk to my workstation. I can put on my other PPE at the designated workstations as necessary.

8. There is a five (5) minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:35 PM. I am allowed to leave the floor at 2:35 pm.

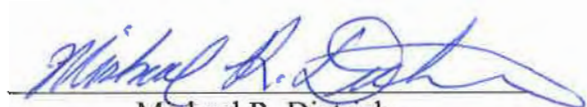
10. Once I leave the floor, I perform the following activities: go to the locker room, take off my shirt and put it in the laundry bin, go to my personal locker and remove my remaining uniform and steel-toe boots, get a towel, take a shower, change into my street clothes, put remaining uniform in laundry bin, and clock out.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March, 2019 in Lyon Station, Pennsylvania.



Michael R. Dietrich

Gloves; Ear Plugs; Respirator (when necessary); Hard Hat (only when I am on the stack truck or tow motor/fork lift); Welding Gloves (as required), Fall Protection/Harness, Knee Pads (when laying brick). I put on my uniform, boots and safety glasses in the locker room. I put on my Face Shield (when I am cutting or grinding steel); Gloves; Ear Plugs; Respirator (when necessary); Hard Hat (only when I am on the stack truck or tow motor/fork lift); Welding Gloves (as required), Fall Protection/Harness, Knee Pads (when laying brick) at my work station.

6. I usually arrive to the Central Services Plant at 6:45 am. Once I arrive I go to the lunch room, put my lunch bag on shelf, go to punch clock, punch in, go to my personal locker, get my key for my uniform locker, go get my uniform, go back to my personal locker, get changed, go to my workstation.

7. It usually takes me two minutes to change into my uniform, boots and safety glasses. It usually takes two minutes to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my work station. I occasionally use this grace period to report to my workstation.

9. I usually stop work at my work station at 3:45 pm. I am allowed to leave the floor at 3:45 pm.

10. Once I leave the floor, I perform the following activities: go back to my personal locker, get undressed, take shower, put on my personal clothes, take my dirty laundry over to bins, go to punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of MARCH, 2019 in Lyon Station, Pennsylvania.



RICHARD A. DIETRICH

6. I usually arrive to the A3 Plant between 1:45 p.m. and 1:50 p.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and walk to my work station.

7. It usually takes me five minutes to change into my uniform and boots and three minutes to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:45 p.m. I am allowed to leave the floor at 10:48 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2019 in Lyon Station, Pennsylvania.



SEAN DILL

5. As a Quality Control, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves and Ear Plugs at my work station.

6. I usually arrive to the A3 Plant at 5:30 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, wait until it is time to punch in, punch in, and go to my work station.

7. It usually takes me three minutes to change into my uniform and boots. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at either 2:25 p.m. or 2:30 p.m. depending on whether I have to check the acid mixer before going to the locker room. I am allowed to leave the floor at either 2:25 p.m. or 2:30 p.m. depending on whether I have to check the acid mixer.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April, 2019 in Lyon Station, Pennsylvania.



CHRISTINE DILTZ

Respirator; and Hard Hat. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the OX1 Plant at 3:40 p.m. Once I arrive I drop off my lunch in the break room, punch in, go to the uniform locker, get my uniform, go to the clean-side locker and put on my uniform, go to the dirty-side locker and put on my steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 11:55 p.m. and I am allowed to leave the floor at that time.

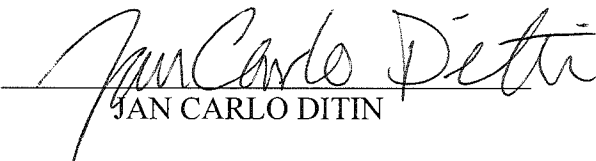
9. Once I leave the floor, I perform the following activities: I punch out, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, go to the clean-side locker and get my shower items, shower, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.


JAN CARLO DITIN

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JESSE E. DIXON, III

1. My name is Jesse E. Dixon, III. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 1991. My current position is Paste Mixer at the A4 Plant. I have worked in this position for approximately 10 years.

3. As a Paste Mixer, I am responsible for making the batches of paste that go inside of batteries.

4. I work the first shift. I work Monday through Friday. I am paid approximately \$20.45 and hour per/hr., with line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Paste Mixer, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots and Gloves. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my gloves at my work station.

Ex. 1002-132

exhibitster.com

6. I usually arrive to the A4 Plant at 5:15 a.m. I usually clock in between 5:16a.m – 5:25 a.m. Once I clock in I get dressed and go to my work station.

7. It usually takes me 5 minutes to change into my uniform and walk to my workstation. I can put on my gloves at my workstation at the start of my worktime.

8. I have never been disciplined for showing up late at my work station.

9. I usually stop work at my work station at 1:35 p.m. I am allowed to leave the floor at 1:35 p.m.

10. Once I leave the floor, I perform the following activities: go to my locker get undressed and shower. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of March, 2019 in Lyon Station, Pennsylvania.


Jesse E. Dixon, III

7. I usually arrive to the A1 Plant at 6:16am. Once I arrive I clock in, go into the locker room, grab my uniform, change into my uniform, have breakfast then head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:00pm. I am allowed to leave the floor at 2:20pm.

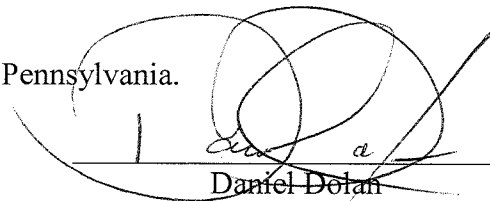
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, wait to punch out and then go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April 2019 in Lyon Station, Pennsylvania.



Daniel Dolan

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ANTHONY DOMANSKI

1. My name is Anthony Domanski I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June 2003. My current position is a COS Takeoff at the A1 Plant. I have worked as a COS Takeoff since November 2013.

3. As a COS Takeoff, I am responsible for picking up the paper work at the start of the shift, filling out tags for product, writing up the bonus sheets, racking up batteries, and putting empty cases in the case puncher.

4. I work the second shift. I work Monday through Friday.

5. I am paid \$24.11/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a COS Takeoff I wear the following personal protective equipment: Uniform; Safety Glasses; Metatarsal Steel-Toe Shoes; Gloves; Ear Plugs; and Respirator. I put my

Ex. 1002-134

exhibitster.com

uniform, safety shoes, and safety glasses on in the locker room. I put on my gloves, earplugs, and respirator, at the work station.

7. I usually arrive to the A1 Plant at 1:45pm. Once I arrive I will go into the locker room, grab my uniform, change into my uniform, then sit down in the lunchroom, eat lunch or read the newspaper and then clock in and go to my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 10:10pm. I am allowed to leave the floor at 10:20pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, and clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April 2019 in Lyon Station, Pennsylvania.


Anthony Domanski

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JIMMY DONTON

1. My name is Jimmy Danton. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 1989. My current position is Quality Control Auditor ("QA") at the SI Plant. I have worked in this position for 24 years.

3. As a QA, I am responsible for doing required quality checks in the battery manufacturing process, do battery teardowns and write reports for any quality issues.

4. I work the first shift. I work Monday through Friday, overtime on Saturday.

5. I am paid \$22.10/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a QA, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Face shield and Earplugs. I put on my uniform, safety glasses

Ex. 1002-135

exhibitster.com

and safety shoes in the locker room. I put on my gloves, face shield and earplugs at my work station.

7. I usually arrive to the S1 Plant at 5:30am. Once I arrive I usually grab my uniform and go get changed, go to the lunchroom, get coffee, read newspaper and eat breakfast and then punch in and head to the floor.

8. It usually takes me 5 minutes to change into my uniform and 2-3 minutes to walk to my workstation. There is a five minute grace period after my shift starts to report to my work station.

9. I usually stop work at my work station at 2:30pm. I am allowed to leave the floor at 2:35pm.

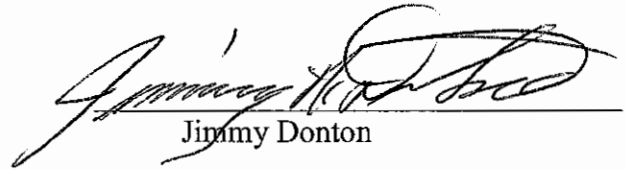
10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, wait to punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March 2019 in Lyon Station, Pennsylvania.



Jimmy Donton

shift differential, but exclusive of production incentives. As a Plant Utility, I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Plant Utility, I wear the following personal protective equipment: Uniform; Safety Glasses; Respirator; Gloves; Ear Plugs; Face Shield; Goggles; PAPR; Hard Hat; and Steel-Toe Rubber Boots. I put on my Uniform, Safety Glasses and Steel-Toe Rubber Boots in the locker room. I put on my other PPE, as necessary, on the work floor.

6. I usually arrive at the Industrial Building at 8:20 PM. Once I arrive, I clock in immediately and then I change my clothes. After changing, I spend some time talking with co-workers in the locker room until it is time to begin working. Then, I proceed to my work station.

7. It usually takes me 5 minutes to change into my Uniform, Boots and Glasses.

8. I work until 6:50 AM. I am permitted to leave the work floor at 6:50 AM.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'R. Eaddy', is written over a horizontal line.

ROMEO EADDY

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JENNIFER EBLING

1. My name is Jennifer Ebling. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October of 2012. My current position is Quality Auditor and I have performed this role in the Industrial Automotive & A 2 Plants. I have worked in this position since July of 2012.

3. As a Quality Auditor, I am responsible for assuring the quality of the products.

4. I work the first shift. I work Monday through Friday. I am paid \$22.55 per hour. I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Quality Auditor, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves, Face Shield (when required); Kevlar Sleeves (when required). I put on my uniform and boots in the locker room. I put on my safety glasses

Ex. 1002-137

exhibitster.com

while walking from the locker room to my work station. I put on my gloves, face shield (when required), Kevlar Sleeves (when required) at my work station.

6. I usually arrive to the Industrial Automotive Plant at 6:20 am. Once I arrive I clock in, go to my uniform locker, grab my uniform, go to the locker room, go to my personal locker, take off my shoes, clothes, my coat, put on my uninform, boots, grab my keys, safety glasses, brush my teeth, close my locker, walk to the floor and workstation.

7. It usually takes me four minutes to change into my uniform, boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:15 pm. I am allowed to leave the floor at 2:20 pm.

9. Once I leave the floor, I perform the following activities: go to my personal locker, remove safety glass, boots, grab my personal clothing, shower items, place all items in shower stall, remove uniform, shower, get dressed, grab my personal items, go to my locker, put my shoes on, put all my stuff in my locker, go to time clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of March, 2019 in Lyon Station, Pennsylvania.


JENNIFER EBLING

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MELINDA EBLING

1. My name is Melinda Ebling. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January of 2000. My current position is Material Handler at the Industrial Automotive Plant. I have worked in this position since March of 2018. I previously worked as an Acid Leveler Capper at the Industrial Automotive Plant from October 2016 through March of 2018. Prior to that, I worked as a Hydrater at the A-2 Plant. I worked in this position from January of 2002 to October of 2016.

3. As a Material Handler, I am responsible for supplying the lines with raw materials and for removing finished automotive batteries and confirming the manifest.

4. I work the first shift. I work Monday through Friday. I am paid \$19.00/hr. plus variable production bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-138

5. As a Material Handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Respirator (as needed); Hard Hat (as needed). I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my Gloves, Respirator (as needed) and Hard Hat (as needed) at my work station.

6. I usually arrive to the Industrial Automotive Plant at 6:20 am. Once I arrive, I go to the locker room to get my keys, then I get my uniform, go back to the locker room and change into my uniform and steel toe boots, go out for a cigarette and then clock in.

7. It usually takes me four minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:25 pm. I am allowed to leave the floor at 2:32 pm.

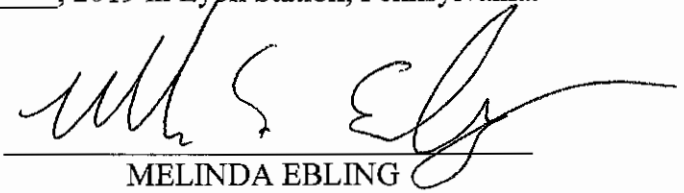
9. Once I leave the floor, I perform the following activities: go to locker room, go to the shower, undress, take a shower, dry off, put on street clothes, clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of March, 2019 in Lyon Station, Pennsylvania.


MELINDA EBLING

glasses and Steel-Toe Boots in the locker room. I put on my Gloves; Ear Plugs; Apron (when the skids are wet); Hard Hat (when driving a Tow Motor); Back Brace (while repairing skids) at my work station.

6. I usually arrive to the Central Services Plant at 5:30 am. Once I arrive I go to the lunch room, place my lunch bag in the lunch room, go to my personal locker, get my uniform key, go to my uniform locker, take out my uniform, go back to my personal locker, change into my uniform, go back to the lunch room, read my daily newspaper, talk to my co-workers, go to the time clock, punch in, go back to my personal locker, put my punch card away, go to my workstation.

7. It usually takes me seven minutes to change into my uniform, boots and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:15 pm. I am allowed to leave the floor at 2:15 pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, take off my uniform, take a shower, get dressed, go to the lunch room, get my lunch bag, go to the time clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of APRIL, 2019 in Lyon Station, Pennsylvania.


DWAYNE L. ECKERT

7. I usually arrive to the S1 Annex Plant at 6:46am. Once I arrive I punch in, I put my lunch bag in the lunch room, grab my uniform, go to the locker room, change into my uniform, and then to go my work station.

8. It usually takes me 5 minutes to change into my uniform and less than a 1 minute to walk to my workstation.

9. I usually stop work at my work station 2:40pm. I am allowed to leave the floor at 2:50pm.

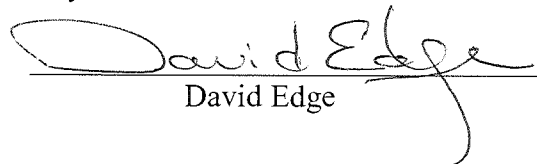
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March 2019 in Lyon Station, Pennsylvania.


David Edge

5. As a COS enveloper, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves and Ear Plugs at my work station.

6. I usually arrive to the Industrial Automotive Plant at 10:06 a.m. Once I arrive I get my uniform, go to my personal locker, change into my uniform, put personal items in my locker, get my time card, use the restroom, clock in, put my time card in my locker, and go to the work floor.

7. It usually takes me 4 minutes to change into my uniform and 1 minute to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:10 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my shoes, undress, shower, place my uniform into the bins, get dressed in my personal clothing, put my towel in the laundry bin, clock out, and leave. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of April, 2019 in Lyon Station, Pennsylvania.


Christina Elliott

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JON ELLIOTT

1. My name is Jon Elliott. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since January 2005. My current position is pasting floater at the A1 Plant. I have worked in this position since 2016. I previously worked as a pasting operator at the A1 Plant. I worked in this position from 2012 through 2016.

3. As a pasting floater, I am responsible for taking care of the scrap, load and unload scrap trailer, make sure lines are greased and oiled and doing related paperwork, running through the breaks, and filling in for individuals who are absent.

4. I work the first shift. I work Monday through Friday I am paid about \$20/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a pasting floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield as needed; Respirator; Hard Hat as needed. I put on my Uniform, Boots, and Safety Glasses in the locker room. I put

Ex. 1002-142

exhibitster.com

on my Gloves; Ear Plugs; Face Shield (as needed); Respirator; Hard Hat (as needed) at my work station.

6. I usually arrive to the A1 Plant at 6:40 a.m. Once I arrive I set my lunch bag down, go to my uniform locker and get my uniform, go to my personal locker, get dressed, scan in, and go to the work floor.

7. It usually takes me 4 to 6 to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:40 p.m to 2:45 p.m. and perform clean up and prep for the next shift. I am allowed to leave the floor at 2:50 p.m.

10. Once I leave the floor, I perform the following activities: get undressed, shower, put my street clothes on, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of March, 2019 in Lyon Station, Pennsylvania.



Jon Elliott

6. I usually arrive to the Central Services Plant at 2:48 pm. Once I arrive I punch in, go to my clothes locker, grab my work uniform, go to the lunch room, put my lunch bag on the shelf, go to the locker room, change into my work uniform, boots and safety glasses, go back to the lunch room, talk to my co-workers, go to my workstation.

7. It usually takes me five minutes to change into my uniform, safety glasses, and boots. It usually takes me only one minute to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I occasionally use this grace period to report to my workstation.

9. I usually stop work at my work station at 10:50 pm. I am allowed to leave the floor at 10:50 pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, go to my personal locker, take off my dirty uniform, go to the shower, take a shower, dry off, go back to my personal locker, put back on my street clothes, grab my personal items, take my dirty clothes, put my dirty clothes in the dirty bins, go to the lunch room, get my lunch bag, go to the time clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.



GUSTAVO A. ENRIQUEZ

(when required); Respirator (when required). I put on my uniform, and boots in the locker room. I put on my safety glasses while walking from the locker room to my workstation. I put on my Gloves; Ear Plugs (when required); Hard Hat (when required); Face Shield (when required); Balaclava (when required); Arc Rated Shirt (when required); Respirator (when required) at my work station.

6. I usually arrive to the Central Services Plant at 5:55 am. Once I arrive I punch in, go to my uniform locker, get my uniform, go to the locker room, go to my personal locker, get changed, take out my safety glasses from my personal locker, put my safety glasses on while walking to my workstation, go to my workstation.

7. It usually takes me five minutes to change into my uniform and boots. It usually takes me less than one minute to walk from the locker room to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:45 pm. I am allowed to leave the floor at 2:50 pm.

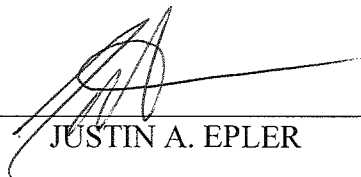
9. Once I leave the floor, I perform the following activities: go to the locker room, go to my personal locker, get undressed, get my shower items, take my dirty clothes and throw them in the dirty laundry bins, go to the shower, take a shower, grab my towel, dry off, go to my personal locker, get dressed, take my towel and drop it into the dirty bin, go to the time clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.



JUSTIN A. EPLER

task; and Respirator. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant between 1:50 p.m. and 1:55 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, then walk to the break room, put my lunch bag on the shelf and wait to punch in. Then I punch in and walk to my work station.

7. It usually takes me six minutes to change into my uniform and boots and walk to my workstation. I can put on my other personal protective equipment at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:00 p.m. I am allowed to leave the floor at 10:03 p.m.

9. Once I leave the floor, I perform the following activities: I go to the break room to get my lunch bag, walk to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, change into my street clothes, wait to punch out, punch out, then leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.


CHRISTOPHER EPPLER

and Respirator. In the locker room I put on my Uniform, Safety Glasses, Steel-Toe Boots, Gloves, and Ear Plugs. I put on my Face Shield during wash-downs and Respirator as needed at my work station. I put on my glasses on before I enter the plant. I put my ear protection in at my work station.

6. I usually arrive to the A4 Plant at 5:31 a.m. to 5:35 a.m. Once I arrive, if it is 5:31 a.m., I punch in right away, then I go to my clothing locker, put my lunch on the lunch kettle then I go to the locker and put on my uniform. I then use the bathroom if necessary. If not, I head out into the plant.

7. It usually takes me 3 minutes to change into the uniform put my safety shoes on and walk to my workstation.

8. I usually stop work at my work station at 1:45 p.m. I am allowed to leave the floor at 1:50 p.m.

9. Once I leave the floor, I perform the following activities: I go to the wash station located in the locker room and wash my hands, and then I go to my locker take my shirt off and put it in the laundry bin, my uniform and my PPE boots and glasses off. On the way to the shower I place my pants in the laundry bin, I then I take a shower and when done I towel off. I then put my clothes off. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

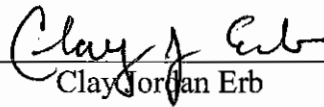
10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of March, 2019 in Lyon Station, Pennsylvania.



Clay Jordan Erb

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF CLIFFORD ERNST

1. My name is Clifford Ernst. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April 2000. My current position is Maintenance Mechanic at the S1 Plant. I have worked in this position since April 2000.

3. As a Maintenance Mechanic, I am responsible for fixing machinery, troubleshooting equipment and doing preventive maintenance checks.

4. I work the first shift. I work Monday through Saturday.

5. I am paid \$25/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Maintenance Mechanic, I wear the following personal protective equipment: Uniform; Safety Glasses; Safety Boots; Gloves; Respirator when needed; Goggles when needed, occasionally a Hard hat and Earplugs.

Ex. 1002-147

exhibitster.com

7. I put on my uniform, safety glasses and safety shoes in the locker room. I put on my gloves and earplugs and other equipment as needed at my work station.

8. I usually arrive to the S1 Plant at 6:20am. Once I arrive I usually get my uniform, put my lunchbox in the cafeteria, go get changed in the locker room, sit in the lunchroom and clock in and then head to the floor.

9. It usually takes me 4-5 minutes to change into my uniform and 2 minutes to walk to my workstation.

10. There is a five minute grace period after my shift starts to report to my work station.

11. I usually stop work at my work station at 2:40 pm. I am allowed to leave the floor at 2:50pm.

12. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

13. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

14. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March 2019 in Lyon Station, Pennsylvania.



Clifford Ernst

5. As a Series II Enveloper, I wear the following personal protective equipment (PPE): Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Respirator (as needed). I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs and Respirator (as needed) at my work station.

6. I usually arrive to the A-4 Plant at 10:25 pm. Once I arrive I, grab my uniform, put on my uniform and boots and clock in.

7. It usually takes me two minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation

9. I usually stop work at my work station at 6:20 pm. I am allowed to leave the floor at 6:20 pm.

10. Once I leave the floor, I perform the following activities: undress, shower, put on my street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

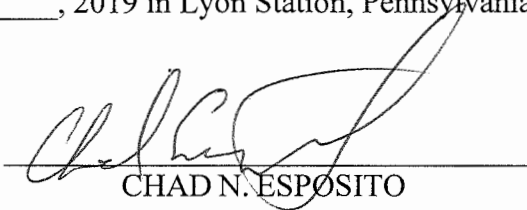
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this Three day of April, 2019 in Lyon Station, Pennsylvania.



CHAD N. ESPOSITO

5. As an Enveloper Series II, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Gloves and Ear Plugs at my work station.

6. I usually arrive to the Industrial Automotive Plant at 1:50 pm. Once I arrive, I get my uniform, place uniform and lunch in locker, eat, talk to colleagues, then I put on uniform and clock in.

7. It usually takes me 5 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:20 pm. I am allowed to leave the floor at 10:20 pm.

9. Once I leave the floor, I perform the following activities: undress, shower and put on street clothes. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March, 2019 in Lyon Station, Pennsylvania.


MATTHEW ESSLINGER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF PRIME ESTERIA

1. My name is Prime Esteria. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since May of 2015. My current position is an acid leveler capper at the A4 Plant. I have worked as an acid leveler capper since May of 2017. Prior to that position, I was an A1 Assembly worker at the A1 Plant from May of 2015 to May 2017.

3. As an acid leveler capper, I am responsible for pulling the cables on the racks and moving the batteries into the acid fill machine and capping the batteries.

4. I work the second shift. I work Monday through Friday. When voluntary overtime is available, I usually choose to work on Saturdays. I am paid approximately \$ 19.10 an hour. Additionally, I receive a weekly bonus based on production usually from \$100 to \$125 a week. I receive time and a half pay for all hours worked over forty in a workweek.

5. As an acid leveler capper, I wear the following personal protective equipment: uniform, safety glasses, boots, gloves, a face shield, ear plugs, and occasionally protective

Ex. 1002-150

exhibitster.com

sleeves. I put on my uniform and boots and my safety glasses in the locker room. At my work station, I put on my gloves, ear plugs, face shield, and occasionally the protective sleeves.

6. I usually arrive to the A4 Plant at 1:30 p.m. Once I arrive, I go to my cubby in the hallway and get my uniform. Then, I go to the locker room and change into my uniform and boots and safety glasses and ear plugs. Then, I go to the lunch room and eat or socialize until it is time to clock in. Then, I go to clock in. Then, I go to my department.

7. It usually takes me four minutes to change into my uniform and boots and safety glasses and walk to the department.

8. There is a five minute grace period after my shift starts to report to my workstation.

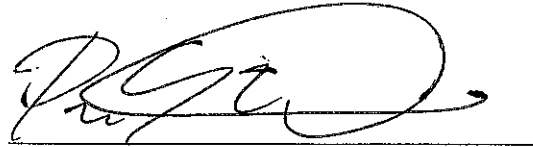
9. I usually stop working at 9:55 p.m. I am allowed to leave the floor at 10:01 p.m.

10. Once I leave the floor, I perform the following activities: I go to the locker room and take my uniform and boots off and then take a shower. Then, I put on my street clothes and go to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Prime Esteria", written over a horizontal line.

Prime Esteria

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MALWIN ESTEVEZ

1. My name is Malwin Estevez. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since July 2010. My current position is foreperson at the A4 Plant. I have worked in this position since 2016. I previously worked as a leader at the A4 Plant. I worked in this position from 2014 through 2016.

3. As a foreperson, I am responsible for the production of raw fill and the forming room, including scheduling workers and the tasks the workers perform.

4. I work the second shift. I work Monday through Saturday. I am paid \$27.50/hr. and I receive time and a half pay for all hours worked over forty in a workweek. I am paid punch-to-punch.

5. As a foreperson, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield; and Hard Hat. I put on my

Ex. 1002-151

exhibitster.com

Uniform, Boots, and Safety Glasses in the locker room. I put on my Gloves; Ear Plugs; Face Shield; and Hard Hat on the work floor.

6. I usually arrive to the A4 Plant at 1:10 p.m. Once I arrive I clock in, take my lunch bag to the lunch room, get my uniform, change into my uniform, go to the office area to check my mail, then go to the work floor.

7. It usually takes me 4 minutes to change into my uniform and 1 minute to walk to the office area. I can put on my other PPE on the work floor, as needed.

8. I usually stop work and leave the floor at 9:40 p.m.


9. Once I leave the floor, I perform the following activities: I wash my hands, go to the restroom, go to the locker room, change out of my uniform, shower, change into my personal clothes, clock out, and leave. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of APRIL, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Malwin Estevez', is written over a horizontal line.

Malwin Estevez

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF EMILY L. ESTREMER

1. My name is Emily L. Estremera. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since March of 2016. My current position is Finisher at the A-4 Plant. I have worked in this position since April of 2018. I previously worked as a Coater at the Smelter Annex. I worked in this position from March of 2016 through April of 2018.

3. As a Finisher, I am responsible for finishing batteries on the production line, which includes, labeling, placing handles and palletizing.

4. I work the third shift. I work Monday through Friday. I am paid approximately \$19.00/hr. plus a variable production bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Finisher, I wear the following personal protective equipment (PPE): Uniform; Safety Glasses; Steel-Toe Boots; Gloves (as needed); I put on my Uniform, Safety

Ex. 1002-152

Glasses and Steel-Toe Boots in the locker room. I put on my Gloves (as needed) at my work station.

6. I usually arrive to the A-4 Plant at 9:30 pm. Once I arrive, I grab my uniform, put on my uniform, go to the lunch room, have coffee, talk to colleagues and wait to clock in.

7. It usually takes me 8 to 9 minutes to change into my uniform, safety glasses and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at between 6:00 and 6:05 am. I am allowed to leave the floor at 6:05 am.

9. Once I leave the floor, I perform the following activities: walk to the locker room, get a towel, undress, shower, put on street clothes, stand in line to clock out and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.



EMILY L. ESTREMERERA

6. I usually arrive to the OX1 Plant at 7:30 a.m. Once I arrive I go to the break room and wait until it is time to punch in. I then punch in, go to the uniform locker, get my uniform, go to the clean-side locker and put on my uniform, go to the dirty-side locker and put on my steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:45 p.m. and I am allowed to leave the floor at that time.

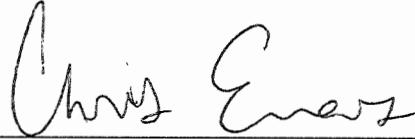
9. Once I leave the floor, I perform the following activities: I go to the break room and wait until it is time to punch out. I then punch out, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, reading "Chris Evans", written in black ink.

CHRIS EVANS

(recommended but not required); Respirator (recommended but not required); and Hard Hat (recommended but not required). I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Latex Gloves and cloth gloves; Ear Plugs; Face Shield; Respirator; and Hard Hat at my work station.

6. I usually arrive to the A4 Plant at 6:18 AM. Once I arrive I clock in, go to my clothing locker to get my uniform, go to my personal locker in the locker room and change from my street clothes into my uniform, go to lunch room to put lunch bag away, go to smoking area outside the building to enjoy a few puffs of a cigarette and then reenter building and proceed to my workstation.

7. It usually takes me between two (2) to three (3) minutes to change into my uniform from my street clothes. I can put on my safety glasses while walking to my workstation and gloves at my workstation at the start of my worktime. The other PPE are put on as required at the designated workstation.

8. There is a five (5) minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 1:50 PM to clean up. I am allowed to leave the floor at 2:15 PM.

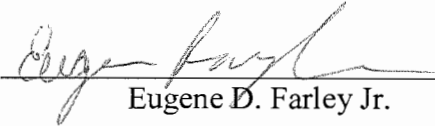
10. Once I leave the floor, I perform the following activities: go to the locker room and remove my uniform, put my uniform into laundry bin, shower, change into street clothes, go to the lunch room to get lunch bag and wait to clock out in hallway. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.


Eugene D. Farley Jr.

6. I usually arrive to the Industrial Automotive Plant at 5:25 am. Once I arrive I go to my uniform locker, get my uniform, go to my locker, get changed, go to lunchroom, stay in lunchroom until its time to scan in, go to scan in.

7. It usually takes me five minutes to change into my uniform and boots. It usually takes two minutes to walk from the locker room to my workstation. I put on all my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:00 pm. I am allowed to leave the floor at 2:05 pm.

9. Once I leave the floor, I perform the following activities: go to locker room, grab towel, go to personal locker, take uniform off, take shower, come out of shower, dry off, get dressed, take towel, work uniform, place in dirty bin, go to scan out, scan out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26 day of March, 2019 in Lyon Station, Pennsylvania.


CHRISTOPHER FARRAR

5. I usually arrive to the Industrial Automotive Plant between 2:05 to 2:10 pm. Once I arrive, I grab my uniform, put on my uniform, boots, respirator and ear plugs and then I wait to clock in.

6. It usually takes me 7 minutes to change into my uniform, boots, ear plugs and respirator and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

7. There is a five minute grace period after my shift starts to report to my workstation.

8. I usually stop work at my work station at 10:20 pm. I am allowed to leave the floor at 10:20 pm.

9. Once I leave the floor, I perform the following activities: deposit respirator in bin, go to locker, undress, deposit uniform in laundry, shower, put on my street clothes, deposit towel in laundry and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of MARCH, 2019 in Lyon Station, Pennsylvania.



DANIEL FAUST

put on my Gloves (as needed), Ear Plugs, Respirator (as needed) and Hard Hat (as needed) at my work station.

6. I usually arrive to the Industrial Plant at 1:16 pm. Once I arrive I clock in, get my uniform, go to the locker room, put on my uniform and boots, get water and proceed to my work station.

7. It usually takes me 7 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 10:05 pm. I am allowed to leave the floor at 10:05 pm.


10. Once I leave the floor, I perform the following activities: undress, shower, dry off, put on street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of March, 2019 in Lyon Station, Pennsylvania.



DAVID FEGELY

6. I usually arrive to the A1 Plant at 5:55 a.m. Once I arrive I get my uniform out of my locker, go to my personal locker and change into my work clothes, I may go into the lunch room for a few minutes, then I am ready to go onto the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:20 p.m. I am allowed to leave the floor at 2:20 p.m.

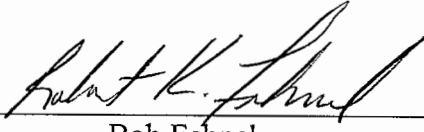
10. Once I leave the floor, I perform the following activities: go up, take my uniform off, shower, get dressed, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of March, 2019 in Lyon Station, Pennsylvania.



Bob Fehnel

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ELINGTON FELIX

1. My name is Elington Felix. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since March of 2018. My current position is Wet Finisher at the A4 Plant. I have worked in this position since March of 2018.

3. As a Wet Finisher, I am responsible for making sure the batteries are filled with battery acid to the proper level and that the batteries are capped.

4. I work the third shift. I work Monday through Friday. I am paid \$19.30 per hour plus department bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Wet Finisher, I wear the following personal protective equipment: a Uniform Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs, and Face Shield. I put on my Uniform and Steel-Toe Boots in the locker room. When I enter the enveloping department on my way to my

Ex. 1002-159

workstation I put on my safety glasses. I put on my Gloves, Ear Plugs and Face Shield at my work station.

6. I usually arrive to the A4 Plant at 9:30p.m. Once I arrive, I take my lunch and put it on the shelf in the lunch room. I then get my uniform and boots out of the locker and then take them to my personal locker and put on my uniform and boots. I then wait at the lunch room until it is time to punch in. I then punch in and I the walk to my department.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation

9. I usually stop work at my work station at 5:57a.m. I am allowed to leave the floor at 6:05a.m.

10. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of march, 2019 in Lyon Station, Pennsylvania.


Elington Felix

Ex. 1002-160

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF CORY FENSTERMAKER

1. My name is Cory Fenstermaker and I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October 2016. My current position is a Grid Caster at the A1 Plant. I have worked as a Grid Caster since October 2016.

3. As a Grid Caster, I am responsible for corking the mold, making sure the grids are in spec and quality, and adding lead to the lead pot.

4. I work the first shift. I work Monday through Friday.

5. I am paid approximately \$35.00/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Grid Caster I wear the following personal protective equipment: Uniform; Safety Glasses; Metatarsal Steel-Toe Shoes; Gloves; Earplugs; Face shield when necessary, Green Welding Jacket when necessary, and Respirator when necessary. I put on my uniform and safety shoes in the locker room. I put on my safety glasses on my way to my work station. I put on my earplugs, gloves, face shield, respirator, and green welding jacket at my work station.

7. I usually arrive to the A1 Plant at 2:00PM. Once I arrive I put my lunch bag away in the lunch room, then go into the locker room, grab my uniform, change into my uniform, and then clock in and go to my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 10:35pm. I am allowed to leave the floor at 10:35pm.

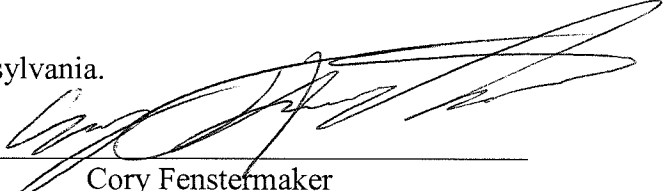
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, throw my uniform in the bin, shower, change into my street clothes, and then go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April 2019 in Lyon Station, Pennsylvania.



Cory Fenstermaker

safety shoes in the locker room. I put my safety glasses on right before I walk onto the floor. I put on my gloves and earplugs at my work station station.

7. I usually arrive to the S1 Annex Plant at 6:35am. Once I arrive I punch in, go into the locker room, get my uniform, change, and go right to my work station.

8. It usually takes me 3 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 2:15pm. I am allowed to leave the floor at 2:35pm.

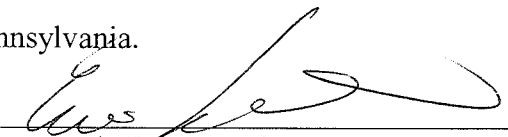
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March 2019 in Lyon Station, Pennsylvania.


Eric Fenstermaker

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JOSE FERNANDEZ

1. My name is Jose Fernandez. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June 2008. My current position is Terminal Burner at the S1 Plant. I have worked in this position since January 2017. I previously worked as a Post Burner at the A1 Plant. I worked in this position from April of 2013 through January of 2017.

3. As a Terminal Burner, I am responsible for burning terminal posts onto different types of batteries or pour lead into a mold to make a terminal posts on the assembly line.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$19.25/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Terminal Burner, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my uniform, safety

Ex. 1002-162

shoes in the locker room. On my way into the plant, I put on my safety glasses. I put on my earplugs and gloves at my work station.

7. I usually arrive to the S1 Plant at 5:57am. Once I arrive, I go into the lunchroom and put my lunch bag down, get my uniform, go to the locker-room, change, use the restroom, sit in the lunchroom eat breakfast and coffee, then I punch in, go back to the lunchroom until it is time to go on the floor.

8. It usually takes me 4 minutes to change into my uniform and 2 minutes to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

9. I usually stop work at my work station at 2:15 pm. I am allowed to leave the floor at 2:20pm.

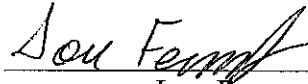
10. Once I leave the floor, I perform the following activities: remove my uniform and shower, put my street clothes on, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Jose Fernandez", is written over a horizontal line.

Jose Fernandez

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF YORBY FERNANDEZ-TEJADA

1. My name is Yorby Fernandez-Tejada. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October 2018. My current position is raw fill at the A3 Plant. I have worked in this position since October 2018.

3. As a October 2018, I am responsible for fill batteries with acid and put them on a rack, then send them out to be charged.

4. I work the third shift. I work Monday through Friday. I am paid \$/hr.19.10 plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a worker in raw fill, I wear the following personal protective equipment: Uniform; Safety Glasses; Rubber Boots; Gloves; Face Shield. I put on my Uniform, Boots, and Safety Glasses in the locker room. I put on my Gloves and Face Shield at my work station.

Ex. 1002-163

exhibitster.com

6. I usually arrive to the A3 Plant at 10:15 p.m. Once I arrive I clock in, get my uniform, go to the locker room, change into my uniform and boots, head downstairs to check which line I am assigned to, then get my gloves and face shield and go to a line to work.

7. It usually takes me 7 minutes to change into my uniform and boot and walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:15 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

9. Once I leave the floor, I perform the following activities: walk upstairs, start to get undressed, grab a towel from the bins, throw my shirt and pants into the bins, get undressed, shower, dry off, change into my street clothes, clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Yorby Fernandez-Tejada', written over a horizontal line.

Yorby Fernandez-Tejada

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JOSE FERRER-JIMENEZ

1. My name is Jose Ferrer-Jimenez. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 2015. My current position is COS Operator at the Industrial Plant. I have worked in this position since June of 2017. I previously worked as a Forming Operator at the Industrial Plant. I worked in this position from August of 2015 through June of 2017.

3. As a COS Operator, I am responsible for making battery cells and that the quality of the battery cell is good from the time that it goes into the machine and when the battery comes back out.

4. I work the second shift. I work Monday through Friday. I am paid \$ 19.60 per hour. I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-164

EXHIBIT 13.10

5. As a COS Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield (when required); Respirator (when required while cleaning lead pot); I put on my uniform and steel toe boots in the locker room. I put on my safety glasses and ear plugs while walking from the locker room to my work station. I put on my gloves, face shield (when required) at my work station.

6. I usually arrive to the Industrial Plant at 1:20 pm. Once I arrive I drink a coffee, go to the bathroom, pick up my uniform, go to the locker room, change and clock in.

7. It usually takes me 5 minutes to change into my uniform, put on my boots and walk to my workstation. I put on my safety glasses and put in my ear plugs while walking from the locker to my workstation and while at my work station I am able to put on all my other personal protective equipment which includes: gloves, respirator (when required), face shield (when required) at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I occasionally use this grace period to report to my workstation.

9. I usually stop work at my work station at 9:10 pm. I am allowed to leave the floor at 9:35 pm.


10. Once I leave the floor, I perform the following activities: go to my locker, take off my uniform, go straight to the shower, get dressed and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of march, 2019 in Lyon Station, Pennsylvania.


JOSE FERRER-JIMENEZ

7. I usually arrive to the A1 Plant at 6:25am. Once I arrive I clock in, go into the locker room, grab my uniform, change into my uniform, and head to my work station.

8. It usually takes me 2 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:00pm. I am allowed to leave the floor at 2:15pm.


10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, punch out and then go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April 2019 in Lyon Station, Pennsylvania.



Bradley Fidler

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF CRISTINO FIGUEROA

1. My name is Cristino Figueroa. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 1992. My current position is Gel Finisher at the S1 Plant. I have worked in this position since September 1998.

3. As a Finisher, I am responsible for helping anywhere on the Finish Line by capping batteries and getting batteries ready to be shipped.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$22/hr. with bonus and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Finisher, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Face shield and Earplugs. I put on my uniform and

Ex. 1002-166

exhibitsclerk.com

safety shoes, safety glasses in the locker room. I put on my gloves, face shield and earplugs at my work station.

7. I usually arrive to the S1 Plant at 6:25am. Once I arrive I usually grab my uniform and go get changed in the locker room, punch in and then head to the floor.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my workstation.

9. I usually stop work at my work station either at 2:25pm depending on my job. I am allowed to leave the floor at 2:35pm.


10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22st day of March 2019 in Lyon Station, Pennsylvania.


Cristino Figueroa

6. I usually arrive to the A3 Plant at 6:00 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my Uniform and Steel-Toe Boots, go to the smoke shack and smoke a cigarette, wait to punch in, punch in, take the elevator and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and two minutes to take the elevator and get to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:14 p.m. I am allowed to leave the floor at 2:20 p.m.

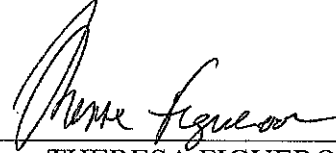
9. Once I leave the floor, I perform the following activities: I take the elevator, go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Theresa Figueroa", is written over a horizontal line.

THERESA FIGUEROA

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF KEVIN FISHER

1. My name is Kevin Fisher. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November 2005. My current position is COS enveloping series 1 at the A1 Plant. I have worked in this position since November 2005.

3. As a COS enveloping series 1, I am responsible for working on a standalone machine, rotating as either an operator or take-off, putting the plates in the machine which runs the plates into an envelope or taking the groups of envelopes off, checking the groups, and placing them onto a skid.

4. I work the second shift. I work Monday through Friday. I am paid \$25/hr. average and I receive time and a half pay for all hours worked over forty in a work week.

5. As a COS enveloping series 1, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Respirator. I put

Ex. 1002-168

exhibitsclerk.com

on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses, Gloves, Ear Plugs, and Respirator at my work station.

6. I usually arrive to the A1 Plant at 1:40 p.m. Once I arrive I get my uniform, change into it, wait in the lunch room, clock in about 2:16 p.m. in the lunch room, and go to the work floor.

7. It usually takes me 3 minutes to change into my uniform and boots and about 4 minutes to walk to my workstation. I can put on my other PPE while at my workstation.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 10:10 p.m. and perform cleaning of the machine and work space. I am allowed to leave the floor at 10:20 p.m.

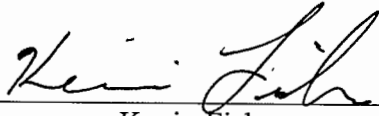
10. Once I leave the floor, I perform the following activities: I go to the locker room, undress, take a shower, then put on street clothing. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of March, 2019 in Lyon Station, Pennsylvania.



Kevin Fisher

6. I usually arrive to the Central Services Plant at 6:45 am. Once I arrive I clock in, go into the locker room, get my key out of my personal locker, go to my uniform locker, get out my uniform, go into the bathroom, change into my work uniform, put personal clothes back into my personal locker, put my boots on, grab safety glasses and gloves, go to my workstation.

7. It usually takes me five minutes to change into my uniform and boots. It usually takes less than a minute to walk from the locker room to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:50 pm. I am allowed to leave the floor at 2:50 pm.

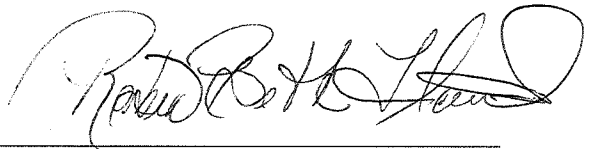
9. Once I leave the floor, I perform the following activities: go to the locker room, grab my personal clothes, grab a towel, go into the shower, get undressed, take a shower, get out of shower, dry off, put on my clean clothes, throw dirty clothes in dirty bin, go to punch clock, stand in punch clock line, wait to punch out, punch out.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Robin B. Flamish", written over a horizontal line.

ROBIN B. FLAMISH

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF BRADLEY FLEXER

1. My name is Bradley Flexer. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June of 2013. My current position is Quality Assurance Leader at the Industrial, Industrial Automotive, and S-1 Buildings. I have worked in this position since September of 2018. Previously, I worked as a Quality Auditor in the A-3 Plant from July of 2014 until September of 2018.

3. As a Quality Assurance Leader, I am responsible for monitoring the work of 15 Quality Inspectors who ensure that the Company's product complies with customer specifications.

4. I work the third shift. I work Monday through Friday. I am paid a base rate of approximately \$24.00/hr., including shift differential. I receive time and a half pay for all hours worked over forty in a workweek. I am paid punch-to-punch.

5. As a Quality Assurance Leader, I wear the following personal protective equipment: Uniform; Safety Glasses; and Steel-Toe Boots. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses in my office.

6. I usually arrive at my office at the Industrial Automotive Building about 9:50 PM. Once I arrive, I clock in immediately and proceed to my office in the Industrial Building. I check my emails and begin reviewing In Process Inspection Reports and attendance reports. Around 10:45 PM, I go to the locker room and change my clothes.

7. It takes me 5 minutes to change into my Uniform and Boots.

8. I usually stop work at 5:50 AM. I can leave my office at my discretion, so long as I allow 10 minutes to walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

9. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

10. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Bradley Flexer', is written over a horizontal line.

BRADLEY FLEXER

5. As a Plate Wrap Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my Ear Plugs and Gloves at my work station.

6. I usually arrive to the Industrial Automotive Plant at 5:15 am. Once I arrive I grab my uniform, change into uniform, drink coffee, eat breakfast, smoke and wait to clock in.

7. It usually takes me 7 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 1:43 pm. I am allowed to leave the floor at 1:48 pm.

10. Once I leave the floor, I perform the following activities: undress, shower, put on my street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

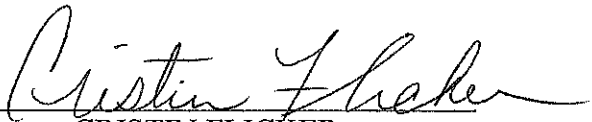
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.


CRISTIN FLICKER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ALEJANDRO EMMANUEL FONSECA-RIVERA, JR.

1. My name is Alejandro Emmanuel Fonseca-Rivera, Jr. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January of 2016. My current position is Paste Mixer at the A4 Plant. I have worked in this position since October of 2018. I previously worked as a Paste take-off person at the A1 Plant. I worked in this position from January of 2016 through October 2018.

3. As a Paste Mixer, I am responsible for making the batches of paste that go inside of batteries.

4. I work the second shift. I work Monday through Friday. I am paid approximately \$19.95 per hour, plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-172

exhibitsclerk.com

5. As a Paste Mixer, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots and Gloves and ear plus. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my ear plugs and gloves at my work station.

6. I usually arrive to the A4 Plant between 1:00pm and 1:15 p.m. Once I arrive, I punch-in, usually, at 1:16p.m. I go straight to the locker room. I then change out of my street clothes and into my uniform and my PPE. I then go to the lunch room and get some water. I then go straight to mixing floor.

7. It usually takes me five minutes to change into my uniform and PPE and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 9:35p.m. I am allowed to leave the floor at 9:35p.m.

10. Once I leave the floor, I perform the following activities: I walk straight to the locker room. I wash my hands in the tub sink, take off my used uniform, put my boots in my locker, I then take my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker, change into my street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.


Alejandro Emmanuel Fonseca-Rivera, Jr.

5. As a Compupress Strip Maker Punch Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Exterior Metatarsal Boots; regular Gloves; Ear Plugs; Face Shield; Respirator; Hard Hat; welding Shield; Heat Gloves. I put on my uniform, exterior metatarsal boots, safety glasses in the locker room. I wait to put on all my other personal protective equipment until I get to my workstation: regular Gloves; Ear Plugs; Face Shield; Respirator (as required); Hard Hat (only when I am on the stack truck or tow motor/fork lift); welding Shield (as required), Heat Gloves (as required).

6. I usually arrive to the Automotive Industrial Plant at 6:00 am. Once I arrive I get my uniform out of the clothing locker, go into the locker room, change out of my street clothes and put on my work uniform, then I put on my boots, get my material handling license, flash light, my punch card, with my safety glasses already on I go to the lunch room, take them off (clean them), put them back on, hang out until 6:31 am at which time I punch in the clock.

7. It usually takes me 5 minutes to change into my uniform, boots and safety glasses. It takes me two minutes to go from the punch clock to my workstation. I put all my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:30 pm. I am allowed to leave the floor at 2:35 pm.

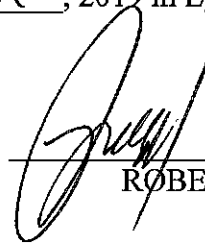
9. Once I leave the floor, I perform the following activities: take my used respirator and deposit it into the dirty bin, grab a towel, go to my locker, disrobe, put the dirty clothes in the bin and head for the shower. I then finish showering, get dressed, get rid of my used towel by placing in the bin, and punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'R. Foose, Jr.', is written over a horizontal line.

ROBERT FOOSE, JR.

6. I usually arrive to the A3 Plant at 2:00 p.m. Once I arrive I go to the uniform locker, get my uniform, punch in, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:03 p.m. and I am allowed to leave the floor at that time.

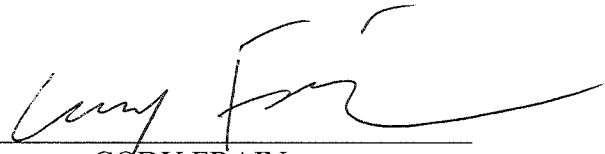
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April, 2019 in Lyon Station, Pennsylvania.



CODY FRAIN

Respirator; and Hard Hat. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the OX1 Plant at 3:35 p.m. Once I arrive I put my lunch in the lunch room, go to the uniform locker, get my uniform, go to the clean-side locker and put on my uniform, go to the dirty-side locker and put on my steel-toe boots, and go to my work station.

7. It usually takes me four minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 11:55 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I punch out, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.



ROI FRANCO-MOLINA

6. I usually arrive at the A-2 Plant about 10:05 PM. Once I arrive, I gather my uniform, change my clothes and put my lunch on a shelf in the lunch room. Then, I clock in and I walk to my work station and begin work.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots.

8. I usually stop production work around 6:15 AM and then spend a few minutes cleaning up my work area. On most work days, I am permitted to leave the floor at 6:18 AM.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.



LLOYD FRANTZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DARY ESTHER FRIAS

1. My name is Dary Esther Frias. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November 2017. I was previously employed by the Company from August 2013 through December 2015, in the laundry department in Central Services and then as a finisher at Plant A2. My current position is quality auditor at the A4 Plant. I have worked in this position since November 2018. I previously worked as a finisher at the Industrial Auto Plant. I worked in this position from November 2017 through November 2018.

3. As a quality auditor, I am responsible for auditing three departments: finishing, raw fill, and the forming room.

4. I work the second shift. I work Thursday through Sunday. I am paid \$22.55/hr. plus \$6/hr. shift differential on weekend days, and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-177

exhibitsclerk.com

5. As a quality auditor, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield; and Respirator (as needed). I put on my Uniform and Boots in the locker room. I put on my Safety Glasses while walking onto the work floor. I put on my Gloves; Ear Plugs; Face Shield; and Respirator (as needed) on the work floor.

6. I usually arrive to the A4 Plant at 1:55 p.m. Once I arrive I get my uniform, change into my uniform, wait near the clock to clock in, then clock in and go to the work floor.

7. It usually takes me 3 minutes to change into my uniform. I can put on my other PPE while walking to my workstation or at the work floor, as needed.

8. I usually stop work and leave the floor at 11:50 p.m. on Thursdays and Fridays, and at 12:00 a.m. to 12:15 a.m. on Saturdays and Sundays. The times vary based on the departments I am auditing.

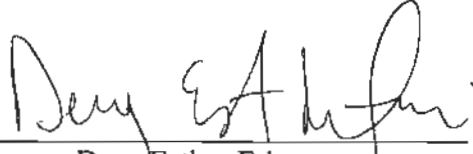
9. Once I leave the floor, I perform the following activities: I go to the locker room, shower, get dressed in my street clothes, wait to clock out, then clock out and leave. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of April, 2019 in Lyon Station, Pennsylvania.



Dary Esther Frias

and Steel-toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 2:00 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, wait until it is time to punch in, punch in, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:35 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, change into my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March, 2019 in Lyon Station, Pennsylvania.



JONATHAN FRICKER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DAVID FRITSCH

1. My name is David Fritsch. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since 1970. My current position is working in the forming room at the A1 Plant. I have worked in this position since 1970.

3. As a worker in the forming room, I am responsible for drop groups into a tank and burn them with a torch.

4. I work the first shift. I work Monday through Friday. I am paid \$19.75/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a worker in the forming room, I wear the following personal protective equipment: Uniform; Safety Glasses; Rubber Steel-Toe Boots; Gloves; Ear Plugs; Face Shield as needed; and Respirator. I put on my Uniform, Boots, and Safety Glasses in the locker room. I put on my Gloves; Ear Plugs; Face Shield (as needed); and Respirator at my work station.

Ex. 1002-179

exhibitsclerk.com

6. I usually arrive to the A1 Plant at 5:30 a.m. Once I arrive I change into my uniform and go to the lunch room for about half an hour, then clock in and go to the work floor.

7. It usually takes me 2 to 3 minutes to change into my uniform and boots and 2 to 3 minutes to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:05 p.m. I am allowed to leave the floor at 2:05 p.m.

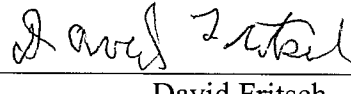
10. Once I leave the floor, I perform the following activities: put my uniform in a bin, shower, change, clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of 3, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "David Fritsch", is written over a horizontal line.

David Fritsch

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DAVID FRYMOYER

1. My name is David Frymoyer. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since 2009. My current position is COS takeoff at the A4 Plant. I have worked in this position since November 2014. I previously worked as a worker in raw fill at the A3 Plant. I worked in this position from May 2011 through November 2014.

3. As a COS takeoff, I am responsible for quality control of the line, stamping the batteries to demonstrate they meet the standards of the first piece.

4. I work the third shift. I work Monday through Friday. I am paid at least \$25/hr. average and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a COS takeoff, I wear the following personal protective equipment: Uniform; Safety Glasses; Metatarsal Boots; Gloves; Ear Plugs; Face Shield as needed; and Respirator as needed. I put on my Uniform and Boots in the locker room. I put on my Safety Glasses, Ear

Ex. 1002-180

exhibitsclerk.com

Plugs, and Gloves while walking from the locker room to my work station. I put on my Face Shield (as needed) and Respirator (as needed) at my work station.

6. I usually arrive to the A4 Plant at 10:00 a.m. Once I arrive I get my uniform from my uniform locker, change, stand and wait to clock in, clock in, and go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation.

8. I usually stop work at my work station at 6:10 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

9. Once I leave the floor, I perform the following activities: I drop my respirator in the bin, wash my hands off, throw my shirt into the shirt bin, then take the rest of my clothing off, shower, change into my regular clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 02²⁸ day of 03, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "David Frymoyer", written over a horizontal line.

David Frymoyer

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JAMES GADDIS

1. My name is James Gaddis. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since May 2011. My current position is a Forming Room Floater S1 Annex Plant. I have worked as a Forming Room Floater since April 2012.

3. As a Floater I am responsible for filling in any position within the Forming/Dry Charge department.

4. I work the second shift. I work Monday through Friday.

5. I am paid \$20.00/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs, Apron as needed, Face Shield as needed, Hard Hat as needed, and Respirator as needed. I put on my uniform, safety shoes, and safety glasses in the locker room. I put on all other PPE equipment as needed at my work station.

Ex. 1002-181

exhibitsticker.com

7. I usually arrive to the S1 Plant at 1:50pm. Once I arrive I go to the break room, put my food/lunch box onto the shelf, have a drink, clock in, grab my uniform, then go to the locker room, change into my uniform, and then go to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 10:00pm. I am allowed to leave the floor at 10:05pm.

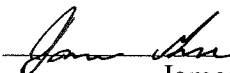
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March 2019 in Lyon Station, Pennsylvania.


James Gaddis

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF BILLY GAMBLER

1. My name is Billy Gambler. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since May 2013. My current position is assembly leader at the A4 Plant. I have worked in this position since August 2018. I previously worked as an assembly technician at the Industrial Automotive Plant. I worked in this position from February 2018 through August 2018. I previously worked as an assembly technician at the A4 Plant. I worked in that position from January 2017 through February 2018. I previously worked as an assembly floater at the A3 Plant. I worked in that position from 2015 through January 2017. I previously worked as a post burner at the A2 Plant. I worked in that position from May 2013 through 2015.

3. As assembly leader, I am responsible for making sure production runs on schedule, by dealing with such items as personnel-related and machinery-related issues as they arise.

Ex. 1002-182

exhibitsclerk.com

4. I work the second shift. I work Monday through Friday, and split Sundays with other leaders. I am paid \$25.05/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As assembly leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves (as needed); Ear Plugs (as needed); and Hard Hat (as needed). I put on my Uniform and Boots in the locker room. I put on my Safety Glasses as I walk onto the work floor. I put on my Gloves (as needed); Ear Plugs (as needed); and Hard Hat (as needed) on the work floor.

6. I usually arrive to the A4 Plant at 1:35 p.m. Once I arrive I take my lunch bag to the break room, get my uniform, go to the locker room and change into my uniform, clock in, go to the office area to check my mailbox, then go down to the work floor.

7. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to the office area. I can put on my other PPE on the work floor, as needed.

8. I usually stop work and leave the floor at 10:33 p.m. to drop off paperwork in the office area, and usually leave the office area by 10:37 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, take my uniform off, shower, dry off, go to my locker and change into my street clothes, get my personal belongings, put my towel in a bin, clock out, and leave. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of April, 2019 in Lyon Station, Pennsylvania.


Billy Gambler

Earplugs as needed. I put on my uniform, safety glasses and safety shoes in the locker room. I put all other PPE equipment as needed at my work station station.

7. I usually arrive to the S1 Annex Plant at 5:38am. Once I arrive I punch in, put my lunch bag in the lunchroom, go into the locker room, get my uniform, change, and go right to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 1:50pm. I am allowed to leave the floor at 2:05pm.

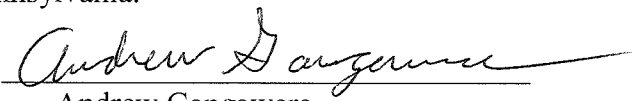
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, wait to punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March 2019 in Lyon Station, Pennsylvania.


Andrew Gangawere

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DANIEL GARCIA

1. My name is Daniel Garcia. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April of 2003. My current position is Grid Casting Leader at the Automotive Industrial Plant. I have worked in this position since October of 2017. I previously worked February of 2012 through November 2016 as a Grid Casting Operator at the Automotive Industrial Plant. I worked in this position from of June 2004 through February of 2012 Grid Casting Floater in S1 Plant. Grid Casting

I was hired as a Grid Casting Operator in April of 2003 through June 2004 in S1 (Specialty 1) Plant.

3. As a Grid Casting Leader, I am responsible for all my operators have all their tools, make sure their machines are running properly and tell each one which bank they are

Ex. 1002-184

assigned to each day and I fill in for breaks. If the Operators are drossing I will fill in for them because they are working behind the machines.

4. I work the first shift. My shift begins at 6:15 am and ends at 3:15 pm. I work Monday through Friday and sometimes on Saturday if scheduled. I am paid \$24.95 per hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Grid Casting Leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel Toed Boots; Gloves; Ear Plugs; Face Shield (when I am drossing); Respirator (when I am drossing); Hard Hat (when I am material handling). I put on my uniform, Steel Toed Boots in the locker room. I put on my safety glasses while walking from the locker room to my work station. I put on my ear plugs, gloves at my work station.

6. I usually arrive to the Automotive Industrial Plant at 5:40 am. Once I arrive I sit in my car, listen to music, sometimes I text my wife, go on social media.

7. I usually scan my time card to clock in at 6:01 am.

8. It usually takes me 2 minutes to change into my uniform. After I have changed into my uniform, I go to my workstation.

9. I usually arrive at my work station at 6:10 am. There is a five minute grace period after my shift starts to report to my workstation.

10. I usually stop work at my work station at 3:10 pm. Then, I clean up my work station. I am allowed to leave the floor at 3:05 pm.

11. It usually takes me 5 minutes to walk to the locker room and change out of my uniform.

12. It usually takes me 5 minutes to shower at the end of my shift.

13. After my shift ends, I usually wait only a few minutes to clock out.

14. I usually scan my time card to clock out at 3:15 pm or 3:16 pm.

15. I usually leave the Automotive Industrial Plant at 3:25 pm.


16. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

17. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

18. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.


DANIEL GARCIA

6. I usually arrive to the A3 Plant at 2:30 p.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:30 p.m. I am allowed to leave the floor at 10:35 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Emanuel Garcia', is written above a horizontal line.

EMANUAEL GARCIA

floor. I put on my gloves, ear plugs, respirator, face shield, and green welding jacket at the work station.

7. I usually arrive to the A1 Plant at 2:20pm. Once I arrive I go into the locker room, grab my uniform, then wait in the lunch room and then clock in and head to my work station.

8. It usually takes me 3 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 10:32pm. I am allowed to leave the floor at 10:35pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, grab a towel, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April 2019 in Lyon Station, Pennsylvania.



Michael Garvine-Hilton Jr.

6. I usually arrive to the A3 Plant between 1:10 p.m. and 1:15 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, go to the smoke shack, then go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:50 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.


CHARLES GAWRICH, SR.

put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 1:07 p.m. Once I arrive I go to the uniform locker, put my lunch box on top of the locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the lunch room and wait until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:47 p.m. and I am allowed to leave the floor at that time.

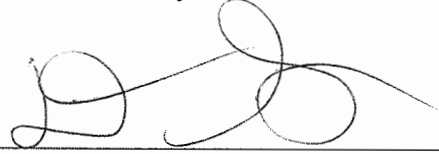
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'D. Gehres', is written over a horizontal line.

DARREN GEHRES

when on the floor; Face Shield when dressing pots or twin rollers; Respirator when dressing pots or twin rollers; Hard Hat when operating stack truck or fork lift. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station when needed.

6. I usually arrive to the A3 Plant at 6:45 a.m. Once I arrive I clock in, go to the locker and get my uniform, change into my uniform, steel-toe boots, and safety glasses. I then go to the floor, get my ear plugs, put my lunch in the break room, then proceed to my work station.

7. It usually takes me ten minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime or when needed.

8. I usually stop work at my work station at 2:48 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I grab my lunch box, throw my ear plugs in the garbage, go to the locker room, take my uniform off, shower, and change in my street clothes. I then clock out at 3:00 p.m. or shortly thereafter. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.



ERIC GEHRINGER

from the locker room to my work station. I put on my Gloves and Face Shield at my work station.

6. I usually arrive to the A3 Plant at 10:30 p.m. Once I arrive I go to my locker and place some clothing in my personal locker for use after my shift, go to my uniform locker to retrieve my uniform, go to the locker room to change into my uniform, then clock in and head to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots and 5 minutes to walk to my workstation from the locker room. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:30 a.m. and perform clean-up. I am allowed to leave the floor at 6:35 a.m.

9. Once I leave the floor, I perform the following activities: go to my personal locker, undress, shower, change into my street clothes, then clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.



Dakota George

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ROBERT GEPHART SR

1. My name is Robert Gephart Sr. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since March 2011. My current position is Pasting Material Handler at the S1 Plant. I have worked in this position since January 2016. Prior to that I worked as a Pasting Machine Operator in A3 from March 2011 to January 2016

3. As a Material Handler, I am responsible for moving product and plates in and out of curing ovens.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$18.60/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-191

exhibitster.com

6. As a Material Handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves occasionally; Hard Hat; Respirator; and Earplugs.

7. I put on my uniform, safety glasses and safety shoes in the locker room. I put on my gloves, earplugs, hard hat, and respirator at my work station.

8. I usually arrive to the S1 Plant at 6:50am. Once I arrive I usually get my uniform, clock in, change into my uniform, grab my respirator, and then head out to the floor.

9. It usually takes me 2-3 minutes to change into my uniform and 2-3 minutes to walk to my workstation.

10. I usually stop work at my work station at 2:45PM. I am allowed to leave the floor at 2:50pm.

11. Once I leave the floor, I perform the following activities: I walk outside and have a cigarette, walk back inside and clock out, and then go to locker room, shower, and change back into street clothes. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

12. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

13. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22st day of March 2019 in Lyon Station, Pennsylvania.


Robert Gephart Sr. 3/22/19

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DEBRA GERNERT

1. My name is Debra Gernert. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since September of 1999. My current position is Finisher at the Industrial Automotive Plant. I have worked in this position since September of 2016. I previously worked as a Raw Fill at the A 2 Plant. I worked in this position from May of 2014 through September of 2016.

3. As a Finisher, I am responsible for decorating batteries, prepare them to leave the plant, make manifests to place on skids, clean up at the end of the day, print paperwork out in the morning, put out a quality product.

4. I work the first shift. I work Monday through Friday. I am paid \$ 19.10 per hour. I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-192

exhibitster.com

5. As a Finisher, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs (when needed). I put on my uniform, boots and safety glasses in the locker room. I put on my gloves and ear plugs (when needed) at my work station.

6. I usually arrive to the Industrial Automotive Plant at 6:00 am. Once I arrive I go up the stairs to the uniform locker, get my uniform, go to the locker room, open my personal locker, hang up my coat, take off my shoes, change into my uniform, put on my work shoes, put on my safety glasses, go to the bathroom, look at my phone, hang out in the locker room, walk from the locker room to the punch clock, punch in, go into the lunch room, when the clock says 6:35 am, go to my work station.

7. It usually takes me four minutes to change into my uniform, boots, safety glasses and two minutes to walk to my workstation. I put on all my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:28 pm. I am allowed to leave the floor at 2:32 pm.


9. Once I leave the floor, I perform the following activities: go to the locker room, open my personal locker, get my clothes, shower items, grab a towel, take my shower, dry off, put my clothes on, take dirty laundry, drop into the dirty laundry bin, go back out to my personal locker, put my socks and shoes on, gather my purse, jacket, gym bag, put on my personal glasses, put on my jacket, lock my personal locker, walk to the punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of March, 2019 in Lyon Station, Pennsylvania.


DEBRA GERNERT

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JESSE GILMER

1. My name is Jesse Gilmer. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January of 2014. My current position is COS Foreperson at the A3 Plant. I have worked in this position since May of 2016. I previously worked as a Leader at the A3 Plant. I worked in this position from January of 2015 through May of 2016. I previously worked as Floater at the A3 Plant. I worked in this position from January 2014 through January 2015.

3. As a COS Foreperson, I am responsible for supervising thirty-two people and six machines.

4. I work the second shift. I work Monday through Friday. I am paid \$27.60 /hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a COS Foreperson, I wear the following personal protective equipment:
Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Respirator. I put on my

Ex. 1002-193

Uniform and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 1:30 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker and change into my uniform and steel-toe boots, then wait to punch in. I punch in then proceed to the main office.

7. It usually takes me seven minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:20 p.m. and leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, change into my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.



JESSE GILMER

6. I usually arrive to the A3 Plant at 1:50 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, wait until it is time to punch in, punch in, and go to my work station.

7. It usually takes me six minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 9:55 p.m. I am allowed to leave the floor at 10:05 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.



ALEX GODFREY

while walking from the locker room to my work station. I put on my Gloves; Ear Plugs; Face Shield; Respirator; and Hard Hat at my work station.

6. I usually arrive to the S1 Plant at 10:05 p.m. Once I arrive I clock in, get my uniform, change, and go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:00 a.m. and perform clean-up. I am allowed to leave the floor at 6:05 a.m.

9. Once I leave the floor, I perform the following activities: walk toward the locker room, take off my boots and put my boots away, get undressed, shower, change into my personal clothes, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.



Marcelo Gomez

6. I usually arrive to the S1 Plant at 10:38 p.m. Once I arrive I clock in, get my uniform, change in the locker room, and go to the work floor.

7. It usually takes me 6 minutes to change into my uniform. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:20 a.m., and perform clean-up. I am allowed to leave the floor at 6:35 a.m.

9. Once I leave the floor, I perform the following activities: go to the locker room, take off my shirt and place it in the bin, go to my locker, take off my boots and the rest of my uniform, shower, get dressed in my own clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.



Gary Gonzalez

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF LUIS GONZALEZ

1. My name is Luis Gonzalez. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since February 2016. My current position is Hyrate Operator at the A3 Plant. I have worked in this position since October 2018. I previously worked as a finisher at the A3 Plant. I worked in this position from July 2016 through October 2018. I previously worked as a floater at the A3 Plant. I worked in this position from February 2016 through July 2016.

3. As a Hyrate Operator, I am responsible for using the Hyrate machine to check batteries, then making sure they are dried, buffed, and cleaned. When I am assigned to some lines, I check for internal leaks and other internal defects.

4. I work the third shift. I work Monday through Friday. I am paid \$19.10/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-197

exhibitster.com

5. As a Hyrate Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Rubber Boots; and Ear Plugs. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Ear Plugs while walking from the locker room to my work station.

6. I usually arrive to the A3 Plant at 10:25 p.m. Once I arrive I go to my uniform locker, take my uniform to the locker room, change into my uniform, get my safety glasses from my locker, clock in, and go to the work floor.

7. It usually takes me 4 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:30 a.m. and perform clean-up. I am allowed to leave the floor at 6:35 a.m.


9. Once I leave the floor, I perform the following activities: go to the locker room, get undressed, shower, put on personal clothing, and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March, 2019 in Lyon Station, Pennsylvania.


Luis Gonzalez

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF VICENTE GONZALEZ-ZAVALA

1. My name is Vicente Gonzalez-Zavala. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since 2016. My current position is grid cast leader at the A4 Plant. I have worked in this position since late 2017. I previously worked as a copy press operator at the A4 Plant. I worked in this position from 2016 through late 2017.

3. As a grid cast leader, I am responsible for making sure everything is running properly, the organizing the floor, and supporting the team.

4. I work the third shift. I work Monday through Friday. I am paid \$25.05/hr. and I receive time and a half pay for all hours worked over forty in a workweek. I am paid punch-in to punch-out.

5. As a grid cast leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield as needed; Respirator

Ex. 1002-198

exhibitster.com

as needed; Hard Hat as needed. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves; Ear Plugs; Face Shield (as needed); Respirator (as needed); Hard Hat (as needed) at my work station.

6. I usually arrive to the A4 Plant at 10:10 a.m. Once I arrive I clock in, change, and go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation

9. I usually stop work at my work station at 6:45 a.m. I am allowed to leave the floor at 6:45 a.m.

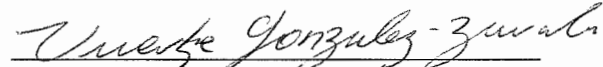
10. Once I leave the floor, I perform the following activities: undress, shower, dress in street clothes, and clock out.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this _____ day of _____, 2019 in Lyon Station, Pennsylvania.



Vincente González-Zavala

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ERIC GOTTSHALL

1. My name is Eric Gottshall and I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since February 2017. My current position is a Maintenance Mechanic at the A1 Plant. I have worked as a Maintenance Mechanic since February 2017.

3. As a Maintenance Mechanic, I am responsible for fixing machinery, cleaning of equipment and utilities, and preventative maintenance.

4. I work the second shift. I work Monday through Friday.

5. I am paid approximately \$23.60/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Maintenance Mechanic I wear the following personal protective equipment: Uniform; Safety Glasses; EH Rated Steel-Toe Shoes; Gloves; Earplugs; Respirator as needed; Face Shield as needed; and Welding Helmet as needed. I put on my uniform, safety shoes, and safety glasses in the locker room. I put on my earplugs, gloves, respirator, face shield, and welding helmet at my work station.

7. I usually arrive to the A1 Plant at 2:16PM. Once I arrive I clock in, put my lunchbox on the counter in the lunch room, go into the locker room, grab my uniform, change into my uniform, then sit down in the lunch room and eat something, and then head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minute to walk to my work station.

9. I usually stop work at my work station at 10:10pm. I am allowed to leave the floor at 10:20pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, and then go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April 2019 in Lyon Station, Pennsylvania.



Eric Gottshall

5. I work the first shift. I work Monday through Friday. I am paid \$ 19.24 per hour and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Heat Seal Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs. I put on my safety glasses, steel toe boots and uniform in the locker room. I put on my remaining personal protective equipment at my work station: gloves and ear plugs.

7. I usually arrive to the Industrial Automotive Plant at 6:15 am. Once I arrive I go to my locker, get my uniform, go to the time clock, punch in.

8. It usually takes me 5 minutes to change into my uniform, put on my steel toe boots and safety glasses and walk to my workstation. I put on all my other personal protective equipment at my workstation such as: ear plugs and gloves at the start of my worktime.

9. I usually stop work at my work station at 2:10 pm. I am allowed to leave the floor at 2:20pm.

10. Once I leave the floor, I perform the following activities: go to my locker, take off my work boots and uniform, go to the shower, shower, dry off, go get dressed at my locker and then go punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Nevin Graham", written over a horizontal line.

NEVIN GRAHAM

6. I usually arrive to the A3 Plant at 1:30 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the lunch room, get coffee and go to the smoke shack were I vape and wait until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:30 p.m. I am allowed to leave the floor at 10:35 p.m.

9. Once I leave the floor, I perform the following activities: I to the locker room, wash my hands, put my personal belongings in my locker, and go to the smoke shack and vape. I then go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.


CARLENE GRAINGER

Plugs while walking from the locker room to my work station. I put on my Heat Gloves and Face Shield at my work station.

6. I usually arrive to the Smelter Annex Plant at 6:35 AM. Once I arrive I go to the lunch room to put away my lunch bag, go to my personal locker in the locker room to get my uniform locker key, go to my uniform locker to get my uniform, go to my personal locker to change out of my street clothes and into my uniform and steel-toe boots, put on my safety glasses, clock in, and walk to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, and put on my safety glasses. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:45 PM. I am allowed to leave the floor at 2:50 PM.

9. Once I leave the floor, I perform the following activities: I go to the box in the lunch room to deposit my time sheet, go to the locker room, get a towel, go to my personal locker, take off my uniform, take a shower, change into my street clothes, put my uniform and towel in laundry bins, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April, 2019 in Lyon Station, Pennsylvania.



Brian D. Green

uniform and safety shoes in the locker room. I put my safety glasses on as I am walking to the floor. I put on my gloves, face shield, and earplugs at my work station.

7. I usually arrive to the S1 Plant at 6:41am. Once I arrive I get my uniform out, clock in, go to the locker room, get dressed and walk right to the floor.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my workstation. There is a five minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:25pm. I am allowed to leave the floor at 2:35pm.

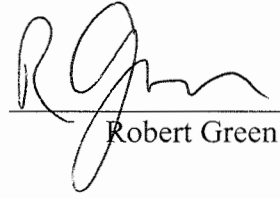
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, wait to punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March 2019 in Lyon Station, Pennsylvania.



Robert Green

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF KEVIN L. GREENAWALT

1. My name is Kevin L. Greenawalt. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 1984. My current position is Paste Mixer at the A4 Plant. I have worked in this position since January of 2011.

3. As a Paste Mixer, I am responsible for making the batches of paste that go inside of batteries.

4. I work the first shift. I work Monday through Friday. As a Paste Mixer I earn \$20.45 and hour per/hr., plus line bonus, and I receive time and a half pay for all hours worked over forty in a workweek.

5. I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves and a Respirator as needed. I put on my Uniform; Safety Glasses; Steel-

Ex. 1002-204

exhibitster.com

Toe Boots; in the locker room. I put on my gloves and respirator as needed at my work station at my work station.

6. I usually arrive to the A4 Plant at 5:20 a.m. Once I arrive I punch in, grab my work clothes and equipment, drop off my lunch box in the lunch room. I then go to the locker room and change. I then head to the mixing platform.

7. It usually takes me two minutes to change into my uniform and my PPE and then I walk to my workstation which usually takes about two minutes. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 1:30 p.m. I am allowed to leave the floor at 1:35 p.m. when I leave and head down to the shower.

10. Once I leave the floor, I perform the following activities: I head to the locker, get undressed and take my used uniform to the laundry bin and take a shower. After I shower, I towel off then I return my locker and put on my street clothes. I then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.


Kevin I. Greenawalt

Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant between 2:31 p.m. and 2:45 p.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station between 10:35 p.m. and 10:40 p.m., depending on the line, and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April, 2019 in Lyon Station, Pennsylvania.


NICHOLAS GREENE

Ear Plugs, and Respirator while walking from the locker room to my work station or at my work station.

6. I usually arrive to the IM2 Plant between 6:30 a.m. and 6:35 a.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me six minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:30 p.m. and I am allowed to leave the floor at that time.


9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of April, 2019 in Lyon Station, Pennsylvania.



JAN GREENWOOD

6. I usually arrive to the A4 Plant at 5:30 a.m. Once I arrive I clock in. I go to my PPE clothing locker, I remove my clothes and equipment for the day from my locker; and then I go into the locker room and change clothes and put on my PPE. I then I drop my lunch box in the lunch room and go out onto the floor.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 1:45 p.m. I am allowed to leave the floor at 1:50 p.m.

10. Once I leave the floor, I perform the following activities: I return to the locker room. I wash my hands and arms in the tub sink. I go to my locker and remove my uniform and PPE and I take my used uniform and put in the laundry bin on the way to the shower. I then shower and towel off and then I return to my locker and put on my street clothes. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.


Matthew F. Grim

stack truck. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant between 4:00 a.m. and 4:05 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, go to the lunch room and eat, then go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:15 p.m. I am allowed to leave the floor at 2:20 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, grab a towel, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.


SHAWN GRING

Ex. 1002-209

exhibitster.com

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DAVID H. GROFF

1. My name is David H. Groff. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October of 2003. My current position is Molding Floater/Lead Insertter at the Injection Molding 2 (IM2) Plant. I have worked in this position since November of 2013.

3. As a Molding Floater/Lead Insertter, I am responsible for lead inserting, inspecting, testing and packing products.

4. I work the first shift. I work Monday through Friday with occasional weekends. I am paid approximately \$18.93/hr. plus incentive, and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Molding Floater/Lead Insertter, I wear the following personal protective equipment: Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my Steel-Toe

Boots and Safety Glasses on at my locker which is about fifty feet from the entrance to the floor. I put on my Ear Plugs as I enter the floor. I put on my Gloves at my work station. I do not wear a uniform.

6. I usually arrive to the IM2 Plant at 6:25 AM. Once I arrive, I clock in, then I go to my locker to change my shoes, put on my Safety Glasses, obtain my tool box and I enter the floor.

7. It usually takes me about 2 to 3 minutes to change into my shoes, put on my safety glasses, obtain my tool box and walk to my work station. I can put on my other PPE while walking to my work station or at my work station at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my work station. I sometimes use this grace period to report to my work station.

9. I usually stop work at my work station at 2:22 PM. I am allowed to leave the floor at 2:25 PM.

10. Once I leave the floor, I perform the following activities: I use the restroom, change my shoes, put my safety glasses and tool box in my locker, obtain my personal items and then I wait to clock out. I am not required to shower.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "David H. Groff", written over a horizontal line.

David H. Groff

6. I usually arrive to the Industrial Automotive Plant at 6:33 am. Once I arrive I punch in, go to my uniform locker, get my uniform, go to my regular locker, change into my uniform, put on my work shoes, go to my workstation.

7. It usually takes me two minutes to change into my uniform and boots. It usually takes me two minutes to walk from the locker room to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:28 pm. I am allowed to leave the floor at 2:32 pm.

9. Once I leave the floor, I perform the following activities: go to my locker, take out my shower basket, street clothes, go to the shower, shower, dry off, get dressed, go back to my locker, put on my street shoes, walk to the punch clock line, wait in line until its time to punch out, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25 day of March, 2019 in Lyon Station, Pennsylvania.


TAMMY GROFF

my uniform, safety shoes, and safety glasses in the locker room. I put on all other PPE equipment as needed at my work station.

7. I usually arrive to the S1 Plant at 1:05pm. Once I arrive I go to my locker, grab my uniform, go into the locker room, change into my uniform, then go into the lunch room and check my phone, and then clock in.

8. It usually takes me 2 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 10:00pm. I am allowed to leave the floor at 10:05pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March 2019 in Lyon Station, Pennsylvania.


Mike Guarino

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DEREK GUEST

1. My name is Derek Guest. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since November of 2015. My current position is Concast Operator at the A3 Plant. I have worked in this position since January of 2018. I previously worked as a Floater at the A3 Plant. I worked in this position from November of 2015 through January of 2018.

3. As a Concast Operator, I am responsible for producing lead grids that are made into strips and wrapped in coils.

4. I work the second shift. I work Monday through Friday. I am paid \$19.80 / hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Concast Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield, depending on the task; Respirator, depending on the task; and Hard Hat, when operating a fork lift. I put on my

Ex. 1002-212

1111

Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 2:15 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:35 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.


DEREK GUEST

5. As a material handler leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Work Gloves; and Hard Hat. I put on my Uniform; Safety Glasses; and Steel-Toe Boots in the locker room. I put on my Work Gloves and Hard Hat at my work station.

6. I usually arrive to the A4 Plant at 6:00 AM. Once I arrive I clock in, go to the lunch room to drop off lunch box, go to my uniform locker to get my uniform, go to my personal locker in the locker room, change out of my street clothes into my uniform and steel-toe boots, put on my safety glasses, go to the office to check my mail slot, and go to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, and to put on my safety glasses. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five (5) minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:45 PM. I am allowed to leave the floor at 2:50 PM.

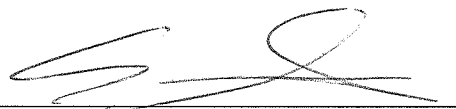
10. Once I leave the floor, I perform the following activities: go to my personal locker in the locker room, take off my uniform, get a towel, take a shower, change into my street clothes, put towel and my uniform into laundry bins, go to the lunch room to get my lunch box, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Emilio J. Guilbe', is written over a horizontal line.

Emilio J. Guilbe

put on my Ear Plugs, Face Shield, and Respirator as needed and Hard Hat as needed, at my work station.

6. I usually arrive at the A3 Plant at 9:50p.m. Once I arrive I go to my locker to retrieve my uniform. Then I go the locker room and put on my Uniform, Steel-Toe Boots and Safety Glasses. Then I punch in and I walk to my work station.

7. It usually takes me five minutes to change into Uniform, Steel-Toe Boots and Safety Glasses and walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:55a.m. I am allowed to leave the floor at 6:05a.m.

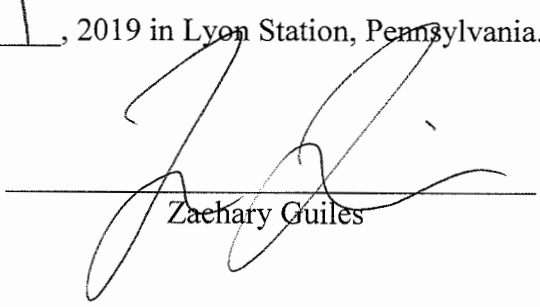
9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April, 2019 in Lyon Station, Pennsylvania.



Zachary Guiles

6. I usually arrive to the Central Services Plant at 2:46 pm. Once I arrive I punch in, go to the locker room, go to my personal locker, take out my work uniform, put on my work uniform, boots, and safety glasses, go to the lunch room, talk to my co-workers, go to my workstation.

7. It usually takes me three minutes to change into my uniform, boots and safety glasses in the locker room. It usually takes me three minutes to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:50 pm. I am allowed to leave the floor at 10:50 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, go to my personal locker, take out my personal items, grab a towel, go to the shower, take shower, dry off, get dressed, go back to my personal locker, put my personal items back in my personal locker, put my sneakers on and sweater, go to the time clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.


MICHELLE GUZMAN-ESCRIBANO

Ex. 1002-216

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DREW HAFER

1. My name is Drew Hafer. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October 2016. My current position is COS enveloper series 2 at the A4 Plant. I have worked in this position since early 2018. I previously worked as a COS floater at the A1 Plant. I worked in this position from October 2016 through early 2018.

3. As a COS enveloper series 2, I am responsible for taking plates off the rack and placing them into the machine, which creates the envelopes needed for the negative plates in the cells of battery.

4. I work the third shift. I work Monday through Friday, plus Saturday when available. I am paid \$19.55/hr. plus piece rate bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a COS enveloper series 2, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Respirator as needed. I put on my

Uniform and Boots in the locker room. I put on my Safety Glasses and Ear Plugs while walking from the locker room to my work station. I put on my Respirator (as needed) at my work station.

6. I usually arrive to the A4 Plant at 10:16 p.m. Once I arrive I put my uniform on, head to the clock, and wait to clock in.

7. It usually takes me 7 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation as needed according to task.

8. I usually stop work at my work station at 6:10 a.m. and clean the machine. I am allowed to leave the floor at 6:20 a.m.

9. Once I leave the floor, I perform the following activities: take off my uniform and put it in the hampers, grab a towel and go to the shower, change back into my street clothes, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.


Drew Hafer

locker room. I put on my Ear Plugs, Gloves (as needed), Face Shield (as needed) and Respirator (as needed) at my work station.

6. I usually arrive to the A-4 Plant at 10:15 pm. Once I arrive, I wait to clock in, clock in, grab my uniform, put on my uniform and boots, talk to colleagues and proceed to my workstation.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:17 am. I am allowed to leave the floor at 6:18 am.

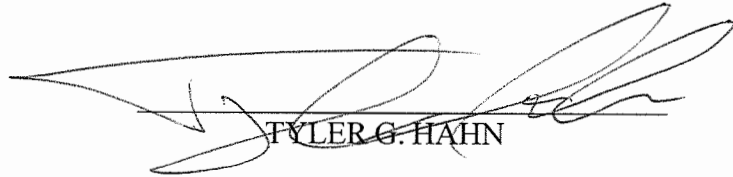
10. Once I leave the floor, I perform the following activities: undress, shower, put on street clothes and wait to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3 day of April, 2019 in Lyon Station, Pennsylvania.



TYLER G. HAHN

6. I usually arrive to the OX1 Plant at 7:00 a.m. Once I arrive I go to the lunch room, put my lunch away, and wait until it is time to punch in. I then punch in, go to the uniform locker, get my uniform, go to the clean-side locker, put on my uniform, go to the dirty-side locker, put on my steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:50 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: punch out, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, go to the clean-side locker and get my toiletries, shower, return to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.



MARK HALLMAN

my Uniform, Steel-Toe Boots and Safety Glasses in the locker room. I put on my Hard Hat, Ear Plugs and Gloves (as needed) at my work station.

6. I usually arrive to the Industrial Automotive Plant at 1:35 pm. Once I arrive, I clock in, put on Uniform and Boots and walk to work station.

7. It usually takes me less than 5 minutes to change into my Uniform, Safety Glasses and Boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I frequently use this grace period to report to my workstation.

9. I usually stop work at my work station at 9:35 pm. I am allowed to leave the floor at 9:35 pm.

10. Once I leave the floor, I perform the following activities: undress, shower, put on street clothes and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March, 2019 in Lyon Station, Pennsylvania.


[NAME]

5. As a COS enveloper series 1, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Respirator. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves; Ear Plugs; and Respirator at my work station.

6. I usually arrive to the S1 Plant at 10:40 p.m. Once I arrive I clock in, go into the locker room, open my locker and place some of my personal items inside, change in to my uniform, go to the work floor.

7. It usually takes me 6 minutes to change into my uniform. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:40 a.m. and perform clean-up. I am allowed to leave the floor at 6:50 a.m.

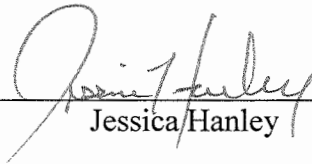
9. Once I leave the floor, I perform the following activities: get a shower towel, go to my locker, place my towel in my locker, remove my boots and place them on the boot rack, change out of my uniform, get my shower supplies, shower, change in to my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 05th day of April, 2019 in Lyon Station, Pennsylvania.



Jessica Hanley

Uniform, Safety Glasses and Steel-Toe Boots in the locker room. The other elements of my PPE I put on, as necessary, at my work station.

5. I usually arrive to the S-1 Plant at 10:20 PM. I clock in immediately and then gather my uniform and my boots. Then, I change my clothes and walk directly to the plant floor where my supervisor gives me my work assignment, after which I head to my work station.

6. It usually takes me about 5 minutes to change into my uniform, safety glasses and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

7. I usually stop work at my work station at 6:15 AM, at which time I spend 5 minutes cleaning my work area. Then, I leave the floor at 6:20 AM.

8. Once I leave the floor, I perform the following activities: walk to the locker room, remove my uniform, shower, dress in my street clothes, and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

9. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

10. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Sheldon Hannibal-Nixon", written over a horizontal line.

SHELDON HANNIBAL-NIXON

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DAVID HANSEN

1. My name is David Hansen. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November of 2010. My current position is COS Technician at the S1 Plant. I have worked in this position since May of 2015. I previously worked in the A2 Plant as a Floater from November of 2010 thorough May of 2015.

3. As a COS Tech, I am responsible for maintaining equipment, helping out with change overs, diagnosing problems and accounting for tools.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$24/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a COS Tech, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Respirator. I put on my uniform and safety shoes

Ex. 1002-222

exhibitster.com

in the locker room. I put my safety glasses as I am walking to my workstation. I put on my gloves, respirator and other equipment as needed at my work station.

7. I usually arrive to the S1 Plant at 6:18am. Once I arrive I usually get my respirator, punch in, grab my uniform and go get changed then head to the floor.

8. It usually takes me 5 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:45pm. I am allowed to leave the floor at 2:50pm.

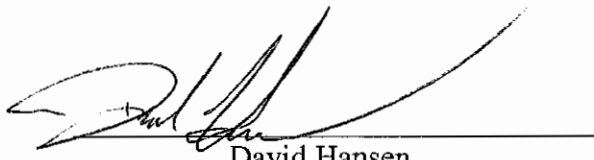
10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, wait to punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March 2019 in Lyon Station, Pennsylvania.



David Hansen

fill). I put on my uniform, and boots in the locker room. I put on my safety glasses while walking from the locker room to my work station. I put on my Face Shield (when required); Gloves (when required); Ear Plugs (when required); Hard Hat (when I am material handling); Kevlar Sleeves (when in Raw fill).

6. I usually arrive to the Industrial Automotive Plant at 2:00 pm. Once I arrive I speak with my colleagues, go to my uniform locker, get my work uniform, go to my personal locker, get changed, go to the breakroom, talk to colleagues, use my phone, go to clock in, clock in, go to my personal locker, put my personal items away, grab safety glasses, go back to breakroom, talk to colleagues more, go to my workstation.

7. It usually takes me two minutes to change into my uniform and boots. It usually takes two minutes to walk from the locker room to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:28 pm. I am allowed to leave the floor at 10:32 pm.

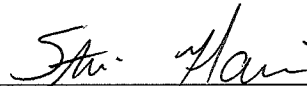
9. Once I leave the floor, I perform the following activities: go to my personal locker, grab showering items, remove my uniform, go to shower, shower, get dressed into my street clothes, place personal shower items back into my personal locker, grab my personal items, stand in line to clock out, clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Stev. Harris", is written over a horizontal line.

STEVIN HARRIS

6. I usually arrive to the A4 Plant at 9:30p.m. Once I arrive, I punch in I go put my lunchbox on the shelf. I then go my uniform locker and remove my uniform and gear and go to my personal locker to get dressed. Then I go to the floor to my workstation to start the day.

7. It usually takes me about five minutes to change into my uniform and boots and glasses and to walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift to report to my work station.

9. I usually stop work at my work station at 5:45a.m. I am allowed to leave the floor at 5:50a.m.

10. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of March, 2019 in Lyon Station, Pennsylvania.


Devin Harron

Safety Glasses, and Boots in the locker room. I put on my Gloves; Ear Plugs; Apron as needed; Face Shield as needed; Respirator as needed; and Hard Hat as needed at my work station.

6. I usually arrive to the A4 Plant at 9:20 p.m., very early before my shift. Once I arrive I go in the locker room, get changed, go to the smoke shack, come back in and use the bathroom, wait a few minutes, and clock in.

7. It usually takes me about 4 minutes to change into my uniform and boots and about 2 minutes to walk to my workstation once I clock in. I can put on my other PPE while at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:47 a.m. I am allowed to leave the floor at 6:47 a.m.

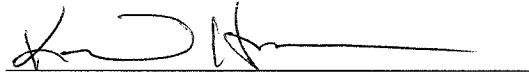
10. Once I leave the floor, I perform the following activities: put my respirator in the bin, take of my uniform, shower, put on my street clothes, and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of MARCH, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Kevin Hartline', is written over a horizontal line.

Kevin Hartline

Face Shield; and Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on other forms of my PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant at 10:37 PM. Once I arrive, I clock in immediately, gather my uniform and then change my clothes. Afterwards, I walk to my workstation and begin work.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots and walk to my work station. I put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work on the floor at 6:35 AM. I then leave the floor at 6:35 AM.

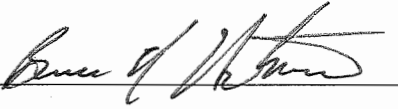
9. Once I leave the workfloor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Bruce Hartman", is written over a horizontal line.

BRUCE HARTMAN

uniform, go to the dirty-side locker and put on my steel-toe boots, punch in, and go to my work station.

7. It usually takes me four minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:30 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I wash my hands, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of April, 2019 in Lyon Station, Pennsylvania.



CHRIS HAUCK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF CORY L. HAUSMAN

1. My name is Cory Hausman. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January of 2008. My current position is Raw Fill at the Industrial Automotive Plant. I have worked in this position since December of 2018. I previously worked as a Maintenance Helper at the A 2 Plant. I worked in this position from May of 2017 through December of 2018. I previously worked as a Acid Filler at the S1 Plant. I worked in this position from May of 2016 through May of 2017. I previously worked as a Grid Casting Operator at both the A 2 & S 1 Plants. I worked in this position from January of 2008 through May of 2016.

3. As a Raw Fill, I am responsible for filling batteries with acid and wiring them up to make a circuit for charging.

Ex. 1002-228

exhibitster.com

4. I work the First shift. I work Monday through Friday. I am paid \$ 19.10 per hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Raw Fill, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Rubber Boots; Face Shield; Gloves. I put on my uniform, boots and safety glasses in the locker room. I put on my Face Shield; and Gloves; at my work station.

6. I usually arrive to the Industrial Automotive Plant at time 5:55 am. Once I arrive I get my uniform out of my uniform locker, go to locker room, change into my work clothes, go to bathroom, go out in the hallway, drink a soda, punch in, go out to the floor, go to my workstation.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses. It usually takes three minutes to walk from the locker room to my workstation. I put on all my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:00 pm. I am allowed to leave the floor at 2:02 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, get out of my work uniform, shower, dry off, put on my street clothes, go out to punch clock, punch out. In my case, I am provided 13 minutes at the end of my shift to go to the locker room, shower, and change into my street clothes. This time is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of March, 2019 in Lyon Station, Pennsylvania.



CORY HAUSMAN

uniform, safety glasses, and boots in the locker room. I put on my Gloves (when required); Ear Plugs (when required); Respirator (when required for HAZ-MAT); Hard Hat (when using a Tow Motor) at my work station.

6. I usually arrive to the Central Services Plant at 3:23 am. Once I arrive I clock in, go to my uniform locker, go to the locker room, get changed, go to my workstation.

7. It usually takes me six minutes to change into my uniform, safety glasses and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I occasionally use this grace period to report to my workstation.

9. I usually stop work at my work station at 1:20 pm. I am allowed to leave the floor at 1:20 pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, go to my personal locker, remove safety boots, glasses and work uniform, go to the shower, take shower, get a towel, dry off, go back to my personal locker, get dressed, throw my dirty work uniform into the laundry bins, go to the punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5TH day of APRIL, 2019 in Lyon Station, Pennsylvania.



DALE J. HAWKINS

can take them on to the next step. In moving the racks I make space so new racks can be brought in, hooked up and charged.

4. I work the third shift. I work Monday through Friday. I am paid \$19.30 per hour plus department bonus, and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a One Shot Formation Operator, I wear the following personal protective equipment: a Uniform, Steel-Toe Boots, Safety Glasses, Gloves and Face Shield. I put on my Uniform, Steel-Toe Boots and Safety Glasses in the locker room. I put on my Gloves and Face Shield at my work station.

6. I usually arrive to the A3 Plant at 10:25p.m. Once I arrive I punch in. I then get my uniform and go to my personal locker and change into my Uniform, Steel-Toe Boots and Safety Glasses. I then go to the formation room and to my workstation.

7. It usually takes me five minutes to change into Uniform, Steel-Toe Boots and Safety Glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:30a.m. I am allowed to leave the floor at 6:35a.m.

10. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to

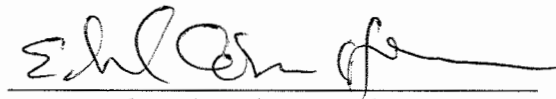
me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of MARCH, 2019 in Lyon Station, Pennsylvania.


Edward Andrew Hecker

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DEAN HEFFELFINGER

1. My name is Dean Heffelfinger. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since mid to late 2015. My current position is an assembly material handler at the A2 Plant. I have worked in this position for about a year. I previously worked as a COS floater at the A2 Plant. I worked in this position from mid to late 2015 through about one year ago.

3. As an assembly material handler, I am responsible for moving material from one area to another, including batteries, case covers, and other materials.

4. I work the second shift. I work Monday through Friday. I receive time and a half pay for all hours worked over forty in a work week.

5. As an assembly material handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Respirator when

Ex. 1002-231

exhibitster.com

needed; and Hard Hat as needed. I put on my Uniform, Boots, and Safety Glasses in the locker room. I put on my Ear Plugs while walking from the locker room to my work station. I put on my Respirator and/or Hard Hat (as needed) at my work station.

6. I usually arrive to the A2 Plant at 1:45 p.m. Once I arrive I get my Uniform, change, and go to the lunchroom. I usually clock in at the lunchroom, leave the lunchroom and go to the work floor at 2:16 p.m.

7. It usually takes me 5 minutes to change into my uniform, boots, and safety glasses and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I often use this grace period to report to my workstation.

9. I usually stop work at my work station at 10:15 p.m. I am allowed to leave the floor at 10:20 p.m.

10. Once I leave the floor, I perform the following activities: go downstairs, get a shower and change into my personal clothes, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of March, 2019 in Lyon Station, Pennsylvania.



Dean Heffelfinger

uniform and safety glasses in the locker room. I put my safety glasses and respirator on as I walk onto the floor. I put on all my other PPE equipment at my work station.

7. I usually arrive to the A1 Plant at 6:47am. Once I arrive I punch in, grab my respirator, go to the locker room, grab my uniform, change and head to the floor.

8. It usually takes me 2 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:50pm. I am allowed to leave the floor at 2:50pm.

10. Once I leave the floor, I perform the following activities: put my respirator/uniform in the bin, go to the locker room, take my uniform off, shower, change into my street clothes, wait to clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April 2019 in Lyon Station, Pennsylvania.


Brian Hehnly

5. As a Material Handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves (multiple varieties); Hard Hat; and Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on other forms of my PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant at 9:30 PM. Once I arrive, I immediately change my clothes and then perform personal tasks such as using the restroom, looking at my phone and socializing with coworkers in the Break Room. Afterwards, I clock in and then proceed immediately to my workstation in the Pasting Department.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots. I put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work between 6:00 AM. I then leave the floor at 6:05 AM and walk to the locker room.


9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 24th day of March, 2019 in Lyon Station, Pennsylvania.


A handwritten signature in dark ink, appearing to read 'KH', is written over a horizontal line.

KEITH HEINEMANN

Shield; Respirator; and Hard Hat. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 5:20 a.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:20 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.



JEFFREY HELLER

my uniform and boots in the locker room. I put on my safety glasses while walking from the locker room to my work station. I put on my gloves, earplugs at my work station. ‡

6. I usually arrive to the S1 Plant at 6:30am. Once I arrive I punch in at 6:31am and go change in the locker room.

7. I usually scan my time card to clock in at 6:31am.

8. It usually takes me 5 minutes to change into my uniform.

9. I usually arrive at my work station at 6:37am and stand and wait for my work assignment from my supervisor.

10. I usually stop work at my work station at 2:25pm to clean up. I am allowed to leave the floor at 2:35pm.

11. It usually takes me 1 minute to walk to the locker room and a minute or 2 to change out of my uniform.

12. It usually takes me about 10 minutes to shower at the end of my shift.

13. After my shift ends, I usually clock out at 2:47pm.

14. I usually leave the S1 Plant at 2:47pm.

15. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

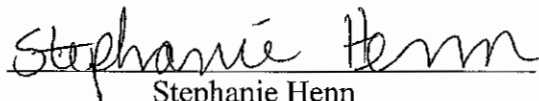
16. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

17. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of March, 2019 in Lyon Station, Pennsylvania.


Stephanie Henn

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ALEX HEPNER

1. My name is Alex Hepner. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April 18th, 2016. My current position is Grid Caster Operator at the S1 Plant. I have worked in this position since September 2017. I previously worked as a Plate Prep Operator at the S1 Plant. I worked in this position from April of 2016 through September of 2017.

3. As a Grid Caster I am responsible for Casting Grids out of lead, checking thickness and weight, checking for quality issues, drossing the pot, and loading lead into lead pot.

4. I work the second shift. I work Monday through Friday. I am paid \$22.00/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Grid Caster, I wear the following personal protective equipment: Uniform; Safety Glasses; Metatarsel Steel-Toe Boots; Gloves; Ear Plugs, Facesheild occasionally,

Ex. 1002-236

exhibitster.com

Respirator occasionally. I put on my uniform, safety shoes in the locker room. On my way into the plant, I put on my safety glasses. I put on my earplugs and gloves at my work station.

6. I usually arrive to the S1 Plant at 1:40PM. Once I arrive, I walk down, grab my uniform, put my lunchbox into the lunchroom, and then go get changed. I also use the restroom and then sit in lunchroom until my clock in time. I then clock in at 2:01PM. I then go grab my respirator and then proceed to the floor.

7. It usually takes me 2 minutes to change into my uniform and 2 to 3 minutes to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 10:00 pm. I am allowed to leave the floor at 10:05pm.

10. Once I leave the floor, I perform the following activities: remove my uniform and shower, put my street clothes on, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March 2019 in Lyon Station, Pennsylvania.



Alex Hepner

required). I put on my uniform, boots and safety glasses in the locker room. I put on my Gloves; Ear Plugs; Face Shield; Respirator; Hard Hat; Welding Hood (when required); Welding Jacket (when required); Welding Gloves (when required) at my work station.

6. I usually arrive to the Central Services Plant at 6:47 am. Once I arrive I punch in, go to the lunch room, put my lunch box on the shelf, go to my uniform locker, take out my uniform, go into the locker room, take off my street clothes, put on my uniform, boots and safety glasses, go to my workstation.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses. It usually takes me one minute to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:40 pm. I am allowed to leave the floor at 2:48 pm..

9. Once I leave the floor, I perform the following activities: go to the locker room, change out of my uniform, take dirty uniform to the dirty laundry bins, go to the shower, take a shower, dry off, go back to my personal locker, put on my street clothes, go back to the lunch room, grab my lunch box off the shelf, go to the punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.

Bradley S Herbein

BRADLEY S. HERBEIN

Respirator. I put on my Uniform; Safety Glasses; and Steel-Toe Boots in the locker room. I put on my Cloth and Rubber Gloves; Ear Plugs; Apron (optional); and Respirator at my work station.

6. I usually arrive to the A4 Plant at 6:17 AM. Once I arrive I clock in, get my uniform from my uniform locker, go to my personal locker in the locker room to change from my street clothes into my uniform and steel-toe boots, put on safety glasses, use the restroom, get my respirator from the respirator shelve, get my other PPE from my personal cubby on the floor, and then go to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, put on my safety glasses, get my other PPE, and walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:10 PM. I am allowed to leave the floor at 2:20 PM.

9. Once I leave the floor, I perform the following activities: go to the locker room, get towel, use the restroom, take off my uniform, take a shower, change into my street clothes in the shower stall, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March, 2019 in Lyon Station, Pennsylvania.



Marlyn Heredia

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JONATHAN HERFLICKER

1. My name is Jonathan Herflicker. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January of 2014. My current position is Welder Operator Assembly at the A4 Plant. I have worked in this position since August of 2018. I previously worked as a welder operator in the S1 plant. I worked in this position from January 2014 until August 2018.

3. As a Welder Operator, I am responsible for making sure the inside of the battery is welded correctly.

4. I work the third shift. I work Monday through Friday. I am paid \$19.85 per hour, plus department bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Welder Operator, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs and a Respirator as needed. I put

Ex. 1002-239

exhibitstick.com

on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs and Respirator as needed at my work station.

6. I usually arrive to the A4 Plant at 9:50p.m. Once I arrive, I go my uniform locker and remove my uniform and gear and go to my personal locker to get dressed. I then I punch in and then I go to the floor to my workstation to start the day.

7. It usually takes me about five minutes to change into my uniform and boots and glasses and to walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:10a.m. I am allowed to leave the floor at 6:18a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of MARCH, 2019 in Lyon Station, Pennsylvania.


Jonathan Herflicker

Ex. 1002-240

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF GEORGE HERMAN

1. My name is George Herman I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October 1977. My current position is Unigy II Group Burner Burner at the S1 Annex Plant. I have worked as a Unigy II Group Burner since April 1999.

3. As a Unigy II Group Burner, I am responsible for melting the lugs of the plates together with a torch and lead stick.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$27.25/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Unigy II Group Burner, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves, Respirator/Paprr, and Earplugs. I put on my uniform and safety shoes in the locker room. I put on my safety glasses on the way to my workstation. I put on my gloves, earplugs, and respirator/Paprr at my work station station.

7. I usually arrive to the S1 Annex Plant at 5:45am. Once I arrive I go into the locker room, grab my uniform, change into my uniform, go to work floor and get things ready, then walk to smoke shack and have breakfast and cigarette, then clock in, go to the bathroom, and then go my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minute to walk to my workstation.

9. I usually stop work at my work station at 2:15pm. I am allowed to leave the floor at 2:35pm.

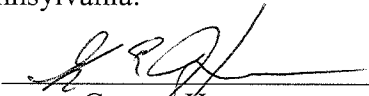
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March 2019 in Lyon Station, Pennsylvania.


George Herman

6. I usually arrive to the A3 Plant at 6:58 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the lunchroom and wait until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me six minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:00 p.m. I am allowed to leave the floor at 3:05 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.



ARNULFO HERNANDEZ

5. As a COS Auto Stacker, I wear the following personal protective equipment: Uniform; Safety Glasses; Respirator; Gloves; Ear Plugs; Hard Hat; and Steel-Toe Rubber Boots. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my other PPE, as necessary, on the work floor.

6. I usually arrive at the Industrial Building at 9:35 PM. Once I arrive, I clock in immediately and then I change my clothes. Then, I proceed to my work station.

7. It usually takes me about 5 minutes to change into my Uniform, Boots and Glasses.

8. I work until 5:00 AM. I then get 30 minutes to clean up my work area, and another 5 minutes to wash my hands before heading to the locker room. I am permitted to leave the work floor at 5:35 AM.

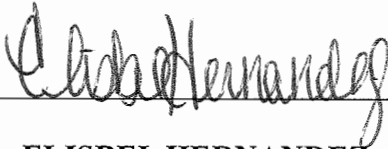
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9 day of April, 2019 in Lyon Station, Pennsylvania.



ELISBEL HERNANDEZ

6. I usually arrive to the Central Services Plant at 6:10 am. Once I arrive I clock in, go to the lunch room, leave my lunch kettle on the shelf, go to my uniform locker, get my work uniform, go to my personal locker, take off my street clothes, change into my work uniform, go to my workstation.

7. It usually takes me three minutes to change into my uniform, boots and safety glasses. It usually takes one minute to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:50 pm. I am allowed to leave the floor at 3:50 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, undress, go to the shower, shower, grab a towel, dry off, dress, throw away my dirty clothes in the dirty bins, go to the lunch room, get my kettle, go to the punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.



LUIS HERNANDEZ

Respirator; and Hard Hat. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the OX1 Plant at 3:40 p.m. Once I arrive I punch in, put my lunch in the lunch room, go to the uniform locker, get my uniform, go to the clean-side locker and put on my uniform, go to the dirty-side locker and put on my steel-toe boots, and go to the lunch room until it is time to report to my work station. I then go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 11:45 p.m. I am allowed to leave the floor at 11:55 p.m.

9. Once I leave the floor, I perform the following activities: I punch out, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Salvador Hernandez", is written over a horizontal line.

SALVADOR HERNANDEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ELVIN HERRERA-WARNER

1. My name is Elvin Herrera-Warner. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 2015. My current position is Hyrate Operator at the A3 Plant. I have worked in this position since the end of 2018. I previously worked as a floater in finishing at the A3 Plant. I worked in this position from middle of 2018 through the end of 2018. I previously worked in drying for 1 year, from approximately 2016 through the middle of 2018. I previously worked in cable casting in the Kutztown facility, from my hiring in August 2015 to 2016.

3. As a Hyrate Operator, I am responsible for checking the battery to make sure the inside and outside of each battery is made correctly and that the batteries are clean and ready.

Ex. 1002-245

exhibits.sticker.com

4. I work the third shift. I work Sunday evening through Friday morning. I am paid at least \$19/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Hyrate Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Apron; Respirator. I put on my Uniform, Boots, and Safety Glasses in the locker room. I put on my Gloves, Ear Plugs, Apron, and Respirator at my work station.

6. I usually arrive to the A3 Plant at 10:35 p.m. Once I arrive I clock in, get my uniform, go to my personal locker, take off my personal clothes and put them in my locker, change into my uniform and go onto the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:28 a.m., and perform organizing work. I am allowed to leave the floor at 6:35 a.m.

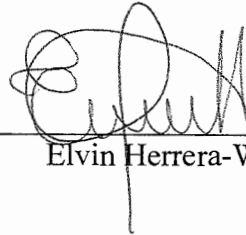
10. Once I leave the floor, I perform the following activities: I get a towel, go to my locker, take my uniform off, shower, change into my personal clothing, then clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Elvin Herrera-Warner', is written over a horizontal line.

Elvin Herrera-Warner

6. I usually arrive to the A3 Plant at 6:41 a.m. Once I arrive I punch in, go to my uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station between 2:20 p.m. and 2:25 p.m. I am allowed to leave the floor at 2:35 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, wait until it is time to punch out, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.



JEREMY HERTZOG

and Hard Hat as needed. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves; Ear Plugs; Face Shield (as needed); Respirator; and Hard Hat (as needed) at my work station.

6. I usually arrive to the A4 Plant at 10:33 p.m. Once I arrive I clock in, get my uniform, go and change, and go to the floor.

7. It usually takes me 7 minutes to change into my uniform and boots and 2 minutes to walk to my workstation. I can put on my other PPE while at my workstation.

8. I usually stop work at my work station at 6:32 a.m. I am allowed to leave the floor at 6:32 a.m.

9. Once I leave the floor, I perform the following activities: walk to the locker room, undress, shower, put on street clothes, then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March, 2019 in Lyon Station, Pennsylvania.



Kyle Hess

6. I usually arrive to the S1 Plant at 12:50PM. Once I arrive I get my uniform and change, get a drink of water and punch in and head to the floor.

7. It usually takes me 4 minutes to change into my uniform and 2 minute to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:10 pm. I am allowed to leave the floor at 10:10 pm

9. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform and shower, put my street clothes on, drop my towel off, put my boots away, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March 2019 in Lyon Station, Pennsylvania.


Curtis Hetzer

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF TIMOTHY HILBERT

1. My name is Timothy Hilbert. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since February 2003. My current position is Maintenance Leader at the S1 Plant. I have worked in this position since August 2012.

3. As a Leader, I am responsible for assigning work to maintenance mechanics and dealing with work orders to keep things operational in the plant.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$29.50/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Safety Boots; Gloves occasionally; Face shield occasionally; Hard hat when needed; Respirator when needed; and Earplugs.

Ex. 1002-249

exhibitstickers.com

7. I put on my uniform, safety glasses and safety shoes in the locker room. I put on my gloves and earplugs and other equipment as needed at my work station.

8. I usually arrive to the S1 Plant at 6:50am. Once I arrive I usually get my uniform, clock in, go in the lunchroom, go get changed in the locker room and then head to the floor.

9. It usually takes me 3-4 minutes to change into my uniform and 2 minutes to walk to my workstation.

10. I am allowed to leave the floor at 3:50pm.

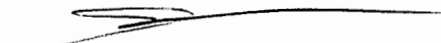
11. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

12. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

13. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March 2019 in Lyon Station, Pennsylvania.



Timothy Hilbert

shoes in the locker room. On my way into the plant, I put on my safety glasses. I put on my earplugs and gloves and other equipment as needed at my work station.

6. I usually arrive to the S1 Plant at 2:00PM. Once I arrive I go to the lunchroom to eat lunch, get my uniform and change and then clock in and go to the office.

7. It usually takes me 3 minutes to change into my uniform and 1 minute to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I stop my work and at the same time am allowed to leave the floor at 10:50pm to go shower.


9. Once I leave the floor, I perform the following activities: remove my uniform and shower, put my street clothes on, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March 2019 in Lyon Station, Pennsylvania.


Kevin Hildenbrand

Hat as needed. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves and Ear Plugs as soon as I enter the work floor. I put on my Face Shield (as needed); Respirator (as needed); and Hard Hat (as needed) at my work station.

6. I usually arrive to the S1 Plant at 9:45 p.m. Once I arrive I clock in, get my clothing from my locker, go to the locker room, get changed, and go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:50 a.m. I am allowed to leave the floor at 5:50 a.m.


9. Once I leave the floor, I perform the following activities: go to my locker, take my uniform off, go to the shower, shower, go back to my locker and get dressed, place my uniform in the appropriate bins, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.


Jayme Hinnershitz

5. As a Raw Fill, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Goggles. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in the locker room. I put on my Gloves and Goggles at my work station.

6. I usually arrive to the A3 Plant between 4:20 a.m. and 4:25 a.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes or less to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:15 p.m. I am allowed to leave the floor at 2:20 p.m.

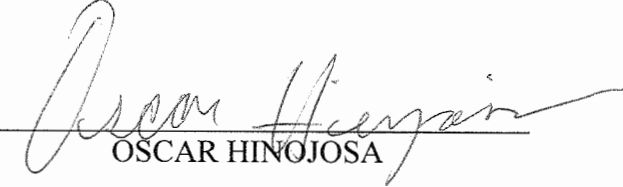
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.



OSCAR HINOJOSA

shoes in the locker room. As I walk to the plant floor, I put on my safety glasses. I put on any other equipment as needed at my work station.

7. I usually arrive to the S1 Plant at 6:30am. Once I arrive, I punch in, grab my uniform, change, and then go to the workplace.

8. It usually takes me 4 minutes to change into my uniform and 2 minutes to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime. There is a five minute grace period after my shift starts to report to my work station at the start of my shift.

9. I usually stop work at my work station at 2:20 pm. I am allowed to leave the floor at 2:35pm.


10. Once I leave the floor, I perform the following activities: remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March 2019 in Lyon Station, Pennsylvania.



Dane Hiryak

Safety Glasses immediately before entering the work floor. I put on my Gloves; Ear Plugs; Face Shield (as needed); Respirator (as needed); Hard Hat (as needed) at my work station.

6. I usually arrive to the A4 Plant at 10:50 p.m. Once I arrive I clock in, get my uniform, change, then go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation.

8. I usually stop work at my work station at 6:47 a.m. I am allowed to leave the floor at 6:47 a.m.

9. Once I leave the floor, I perform the following activities: undress, shower, dress in my own clothing, and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March, 2019 in Lyon Station, Pennsylvania.


Mason Hoffman

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF RANDOLPH C. HOUCK

1. My name is Randolph C. Houck. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since March of 2000. My current position is Finishing/Capper at the A4 Plant. I have worked in this position since March of 2012.

3. As a Finishing/Capper, I am responsible for pulling batteries off the rack and capping batteries.

4. I work the first shift. I work Monday through Friday. I am paid \$19.10/hr. plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Finishing/Capper, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs, Apron, Face Shield. I put on my Uniform, Safety Glasses, Steel-Toe Boots, in the locker room. I put on my Gloves, Ear Plugs, Apron, and Face Shield at my work station.

Ex. 1002-255

exhibitsticker.com

6. I usually arrive to the A4 Plant at 5:45am. Once I arrive I go to my uniform locker and put on my uniform. Then I go into the breakroom. Then I walk to the Finishing department.

7. It usually takes me three minutes to change into my uniform, boots and glasses and walk to my workstation. I can put on my other PPE at the workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 1:50pm. I am allowed to leave the floor at 2:05pm.

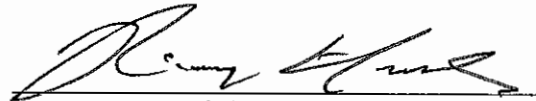
10. Once I leave the floor, I walk straight to the locker room. Then I take off my used uniform, put my boots in my locker, I then take my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker, change into my street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of 3, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Randolph C. Houck", written over a horizontal line.

Randolph C. Houck

locker room to my work station. I put on my Gloves, Ear Plugs, and Hard Hat at my work station.

6. I usually arrive to the A2 Plant at 5:50 a.m. Once I arrive I put my clothing on in the locker room and then clock in. I never wait to clock in.

7. It usually takes me about 3 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I frequently use this grace period to report to my workstation.

9. I usually stop work at my work station about 2:00 p.m. I am allowed to leave the floor between 2:00 p.m. to 2:05 p.m.


10. Once I leave the floor, I perform the following activities: go to shower, change, and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of March, 2019 in Lyon Station, Pennsylvania.


Matthew Houptley

6. I usually arrive to the S1 Plant at 10:15p.m. Once I arrive I grab my uniform, boots and safety glasses. I go to my locker and change. Then I punch in and walk to the leader's desk in the COS Department. I can pick up my PPE there and go to my work station.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:35a.m. I am allowed to leave the floor at 6:50a.m.

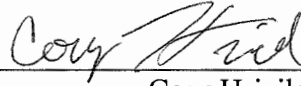
9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4 day of APRIL, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Cory Hricik", is written over a horizontal line.

Cory Hricik

Hat as needed. I put on my Uniform, Steel-Toe Boots and Safety Glasses in the locker room. I put on my Gloves, Ear Plugs, and Respirator as needed and Hard Hat as need at my work station.

6. I usually arrive to the S1Plant at 10:20p.m. Once I arrive I punch in, get my uniform go inside the locker room and get changed. I then walk out to my workstation.

7. It usually takes me five to change into my Uniform, Steel-Toe Boots and Safety Glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I frequently use this grace period to report to my workstation.

9. I usually stop work at my work station at 6:15a.m. I am allowed to leave the floor at 6:20a.m.

10. Once I leave the floor, I perform the following activities: I return to the locker room remove my boots first and I put them in my locker. Then I grab street clothes and everything I need for the shower and go to the shower. I undress, shower and towel off. After that I get dressed and then I put my used uniform in the laundry bin. Then I then I return to my locker and get my purse and keys. I then punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4 day of April, 2019 in Lyon Station, Pennsylvania.



Cintia Huertas

glasses, and earplugs on in the locker room. I put on my gloves, respirator, face shield, and hard hat at the work station.

7. I usually arrive to the A1 Plant at 5:47am. Once I arrive I clock in, put my lunch bag on the shelf in the lunch room, go into the locker room, grab my uniform, change into my uniform, and then head to my work station.

8. It usually takes me 6 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:40PM. I am allowed to leave the floor at 2:50PM.

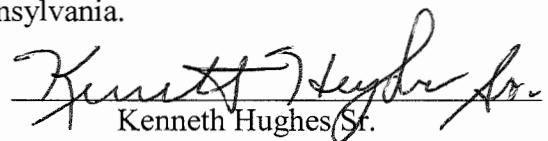
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, and clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April 2019 in Lyon Station, Pennsylvania.


Kenneth Hughes Sr.

and Safety Glasses in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 6:00 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, and go to my work station.

7. It usually takes me seven minutes to change into my uniform and boots and two minutes to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:15 p.m. I am allowed to leave the floor at 2:20 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, grab a towel, remove my uniform and steel-toe boots, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.



KATELYN HUMMEL

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DENNIS HUNSICKER

1. My name is Dennis Hunsicker. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since July 2012. My current position is general maintenance mechanic at the A4 Plant. I have worked in this position since July 2012.

3. As a general maintenance mechanic, I am responsible for fixing any broken machines and performing preventative maintenance.

4. I work the third shift. I work Monday through Friday. I am paid at least \$25/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a general maintenance mechanic, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield as needed; Respirator as needed; Hard Hat as needed; electrical PPE as needed. I put on my Uniform, Safety

Ex. 1002-261

exhibitsicker.com

Glasses, and Boots in the locker room. I put on my Gloves; Ear Plugs; Face Shield as needed; Respirator as needed; Hard Hat as needed; electrical PPE as needed at my work station

6. I usually arrive to the A4 Plant at 10:30 p.m. Once I arrive I go to the break room and read a paper, clock in, get my uniform, go to the locker room and change into my uniform, then go to the shop.

7. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:47 a.m., depending on the maintenance I am performing. I am allowed to leave the floor at 6:47 a.m.

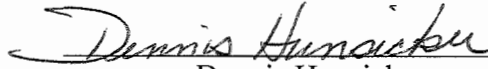
9. Once I leave the floor, I perform the following activities: I go to the locker room, take off my uniform, shower, change in to my street clothes, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3RD day of APRIL, 2019 in Lyon Station, Pennsylvania.


Dennis Hunsicker

as required. I put on my Uniform; Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Latex Gloves; Ear Plugs; and Face Shield at my work station.

6. I usually arrive to the A4 Plant at 6:01 AM. Once I arrive I clock in, go to my uniform locker to get my uniform, go to my personal locker in the locker room, change from my street clothes into my uniform and steel-toe boots, put on my safety glasses, and walk to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, and put on my safety glasses. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five (5) minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:00 PM. I am allowed to leave the floor at 2:05 PM.

10. Once I leave the floor, I perform the following activities: go to my personal locker in the locker room, take off my uniform and steel-toe boots, put my uniform in the laundry bin, get a towel, take a shower, change into my street clothes, put towel in the laundry bin, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

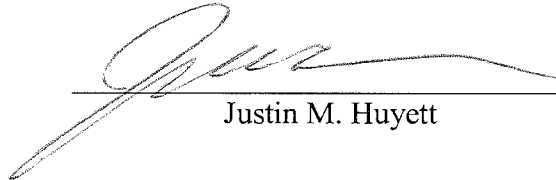
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.



Justin M. Huyett

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF AUSTIN ISAMOYER

1. My name is Austin Isamoyer. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since December 2017. My current position is material handler at the A3 Plant. I have worked in this position since February 2019. I previously worked as an acid leveler/capper at the A3 Plant. I worked in this position from December 2017 through February 2019.

3. As a material handler, I am responsible for picking up pallets after batteries are placed on them, wrapping the pallets and applying stickers, then placing the pallets in the correct trailer.

4. I work the third shift. I work Monday through Friday. I am paid \$19.00/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-263

exhibitsticker.com

5. As a material handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Hard Hat as needed. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Ear Plugs, Gloves, and Hard Hat (as needed) at my work station.

6. I usually arrive to the A3 Plant at 10:35 p.m. Once I arrive I clock in as I walk to my uniform locker, go to the locker room, get dressed, and go to the work floor.

7. It usually takes me 7 minutes to change into my uniform and boots and 2 minutes to walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:30 a.m. and perform clean-up. I am allowed to leave the floor at 6:35 a.m.

10. Once I leave the floor, I perform the following activities: I go upstairs and outside to the smoke shack and smoke a cigarette, go back inside, grab a towel, undress, shower, get changed into my clothes, clock out, and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

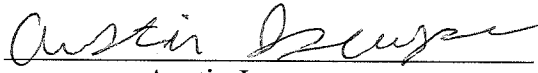
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29 day of March, 2019 in Lyon Station, Pennsylvania.


Austin Isamoyer

from the locker room to my work station. I put on my Rubber Gloves; Ear Plugs; and Respirator at my work station.

6. I usually arrive to the A4 Plant at 6:12 AM. Once I arrive I go my uniform locker to get my uniform, go to my personal locker in the locker room to change from my street clothes into my uniform and steel-toe boots, use the restroom, clock in and walk to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:10 PM. I am allowed to leave the floor at 2:20 PM.

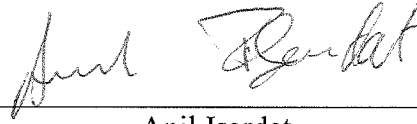
9. Once I leave the floor, I perform the following activities: go to my personal locker in the locker room, get a towel, take off my uniform, take a shower, change into my street clothes, put my uniform and towel in the laundry bins, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Anil Isardat", is written over a horizontal line.

Anil Isardat

6. I usually arrive at the A-2 Plant about 10:10 PM. Once I arrive, I gather my uniform, change my clothes and put my lunch on a shelf in the lunch room. Then, I clock in and I walk to my work station and begin work.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots.

8. I usually stop production work around 6:05 AM. On most work days, I am permitted to leave the floor at 6:17 AM.

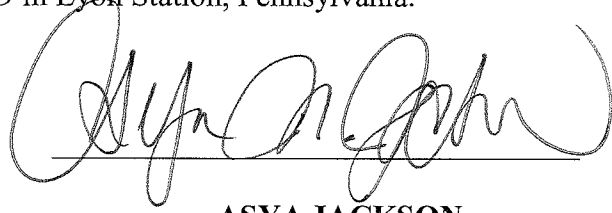
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Asya Jackson', is written over a horizontal line.

ASYA JACKSON

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF VINCENT JACKSON

1. My name is Vincent Jackson. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since February of 2006. My current position is One Shot Formation Operator at the Industrial Plant. I have worked in this position since January of 2019. I previously worked as a Raw Fill at the Industrial Plant. I worked in this position from October of 2016 through January of 2019.

3. As a One Shot Formation Operator, I am responsible for shooting the racks with the batteries on them with a computer gun. This procedure loads in the information about the batteries and provides other necessary information about charging the batteries. Then I hook the leads to batteries on the rack. Then I start charging the batteries and make sure they are being charged correctly, according to the program. I also fill out the necessary paperwork to show the batteries are being charged correctly according to the specific program. A few days later, I take

Ex. 1002-266

exhibitstick.com

the leads off the rack. I then move the rack wherever I can so the finish line can take them on to the next step. In moving the racks I make space so new racks can be brought in, hooked up and charged.

4. I work the third shift. I work Monday through Friday. I am paid \$19.95 per hour plus department bonus, and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a One Shot Formation Operator, I wear the following personal protective equipment: a Uniform, Steel-Toe Boots, Safety Glasses, Gloves and Face Shield. I put on my Uniform, Steel-Toe Boots and Safety Glasses, in the locker room. I put on my Gloves and Face Shield at my work station.

6. I usually arrive to the Industrial Plant at 10:00p.m. Once I arrive I punch in. I then get my uniform and go to my personal locker and change into my Uniform, Steel-Toe Boots and Safety Glasses. I then go to the formation room and to my workstation.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots and my Safety Glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:10a.m. I am allowed to leave the floor at 6:18a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to

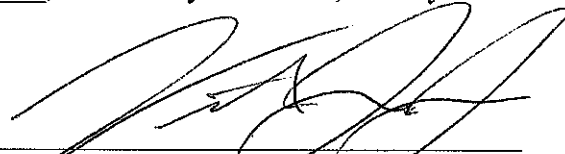
me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of April, 2019 in Lyon Station, Pennsylvania.



Vincent Jackson

5. As a material handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Hard Hat. I put on my Uniform, Safety Glasses, Boots, and Hard Hat in the locker room. I put on my Ear Plugs and Gloves while when I get on my forklift/stack truck.

6. I usually arrive to the A3 Plant at 9:50 p.m. Once I arrive I get my uniform and go to my personal locker, change into my uniform, clock in, and go to the work floor.

7. It usually takes me 6 minutes to change into my uniform. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 5:55 a.m. I am allowed to leave the floor at 6:03 a.m.

10. Once I leave the floor, I perform the following activities: I get a towel on the way to my locker, go to my locker, get my shower supplies, remove my uniform, shower, dress in my personal clothing, put my uniform in the proper bin, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 02 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Rosale A. Jadion", written over a horizontal line.

Rosale Jadion

5. As a Concast Floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Respirator; Gloves; Ear Plugs; Face Shield; Hard Hat; and Steel-Toe/Metatarsal Boots. I put on my Uniform, Safety Glasses and Boots in the locker room. I put on my other PPE, as necessary, on the work floor.

6. I usually arrive at the Industrial Building at 10:45 PM. Once I arrive, put my lunch bag on a shelf in the Break Room, collect my uniform and clock in. Then, I change my clothes. After changing, I proceed directly to my work station.

7. It usually takes me 5 minutes to change into my Uniform, Boots and Glasses.

8. I work until 6:50 AM. I am permitted to leave the work floor at 6:50 AM.

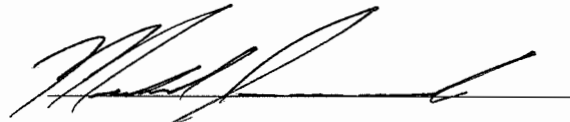
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.


MICHAEL JAROMNAK

7. I usually arrive to the A1 Plant at 5:50am. Once I arrive I go the locker room, grab my uniform, change into my uniform, clock in, then sit in the lunchroom, and then head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 2:20pm. I am allowed to leave the floor at 2:20pm.

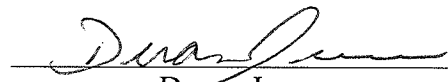
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April 2019 in Lyon Station, Pennsylvania.


Duane Jenne

Hat as needed. I put on my Uniform, Steel-Toe Boots and Safety Glasses the locker room. I put on my Gloves, Ear Plugs, Respirator as needed and Hard Hat as needed.

6. I usually arrive to the Industrial Plant at 9:40p.m. Once I arrive I punch in, I go get my uniform, I put my lunchbox in the lunch room and then go to my personal locker. I then change into my uniform and PPE. I then head out to the work floor.

7. It usually takes me six minutes to change into my Uniform, Steel-Toe Boots and Safety Glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 5:50a.m. I am allowed to leave the floor at 5:50a.m.

10. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

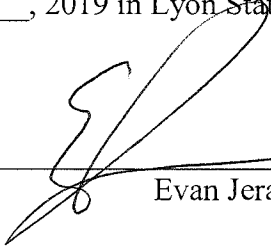
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of April, 2019 in Lyon Station, Pennsylvania.



Evan Jerasa

put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 2:05 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the lunch room ,wait until it is time to punch in, then I punch in and return to the lunch room until it is time to report to my work station, then I go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:10 p.m. I am allowed to leave the floor at 10:18 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, change into my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.


GENESIS JIMINIAN

personal protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the A2 Plant between 1:50 p.m. and 1:55 p.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the bathroom and wash my hands, put on my safety glasses, and go to my work station.

7. It usually takes me six minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 9:50 p.m. and I am allowed to leave the floor at that time.

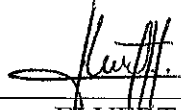
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Elvert Joga', is written over a horizontal line.

ELVERT JOGA

5. As a Plate Prep Operator in the S-1 Plant, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Respirator; Gloves; and Ear Plugs. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my other forms of PPE, as needed, on the work floor.

6. I usually arrive early at the S-1 Plant, about 9:00 PM. Once I arrive, I gather my uniform and change my clothes immediately. After changing, I head directly to the Break Room where I spend some time reading. Afterwards, I clock in and then spend some time speaking with co-workers before heading to my work station to begin working.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots.

8. I usually stop production work at 6:20 AM, at which time I spend 10 minutes cleaning up my work area. On most work days, I am permitted to leave the floor a little early at 6:30 AM.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 15 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8 day of 4, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "James John", is written over a horizontal line.

JAMES JOHN

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MICHAEL JONES

1. My name is Michael Jones. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since September of 2012. My current position is Quality Control Floater at the A3 Plant. I have worked in this position since August of 2014.

3. As a Quality Control Floater, I am responsible for filling gaps in coverage in Quality Control, completing special projects as assigned, and data gathering.

4. I work the second shift. I work Monday through Friday. I am paid approximately \$22.15 / hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Quality Control Floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield; and Respirator. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

Ex. 1002-274

exhibitstick.com

6. I usually arrive to the A3 Plant at 1:50 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the lunch room, maybe have something to eat, punch in, and go to my work station.

7. It usually takes me four minutes to change into my uniform and boots and five minutes to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 9:50 p.m. I am allowed to leave the floor at 10:05 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, grab a towel, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.



MICHAEL JONES

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ROBIN JONES

1. My name is Robin Jones. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since February of 2010. My current position is Wet Finisher at the A4 Plant. I have worked in this position since February of 2019. I previously worked as an Acid leveler at the A2 Plant. I worked in this position from April of 2016 through February of 2019.

3. As a Wet Finisher, I am responsible for making sure the batteries are filled with battery acid to the proper level and that the batteries are capped.

4. I work the third shift. I work Monday through Friday. I am paid \$19.30 per hour plus department bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Wet Finisher, I wear the following personal protective equipment: a Uniform Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs, and Face Shield. I put on my Uniform Safety Glasses and Steel-Toe Boots in the locker rooms. I put on my Safety Glasses, while

Ex. 1002-275

exhibitsticker.com

walking from the locker room to my work station. I put on my Gloves, Ear Plugs and Face Shield at my work station.

6. I usually arrive to the A4 Plant at 9:45p.m. Once I arrive I get my uniform, I get dressed, put on my boots and then go to the lunch room and I wait in the lunchroom to punch in. After I punch in I walk to my department.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 5:55a.m. I am allowed to leave the floor at 6:05a.m.

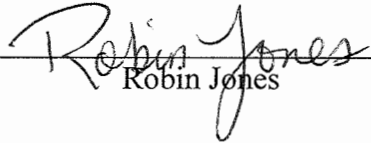
10. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.



Robin Jones

4. I work the first shift. I work Monday through Friday. I work mandatory overtime every fourth weekend and voluntary overtime when offered. I am paid \$20.85/hr. and annual bonuses, and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a material handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Ear Plugs as necessary; and Hard Hat as necessary. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Ear Plugs and Hard Hat at my work station.

6. I usually arrive to the Smelter Annex Plant at 5:50 AM. Once I arrive I get my uniform from my uniform locker, go to the lunchroom to put away my lunch bag, go to my personal locker in the locker room, change from my street clothes into my uniform and steel-toe boots, get my safety glasses from my personal locker, go to the lunch room to have a cup of coffee and read the paper, wait to clock in, clock in, go to my locker on the floor to get my hard hat, and walk to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five (5) minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:00 PM. I am allowed to leave the floor at 2:20 PM.

10. Once I leave the floor, I perform the following activities: go to the locker room, get a towel, go to my personal locker in the locker room, put my safety glasses away in my


personal locker, take off my uniform and steel-toe boots, take a shower, change into my street clothes, put my uniform and towel in the laundry bins, go to lunchroom to get my lunch bag, wait to clock out, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.



Timothy J. Jones

Toe Boots and Safety glasses in the locker room. I put on my Ear Plugs, Face Shield (as needed), Respirator (as needed) and Hard Hat (as needed) at my work station.

6. I usually arrive to the Industrial Automotive Plant between 6:15 and 6:30 am. Once I arrive I grab my uniform, put on uniform and boots and wait to clock in.

7. It usually takes me 5 to 7 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:30 pm. I am allowed to leave the floor at 2:35 pm.

9. Once I leave the floor, I perform the following activities: undress, shower and put on street clothes. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.

Joseph R. Juntunen
JOSEPH R. JUNTUNEN

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF STEPHEN KACHMAR

1. My name is Stephen Kachmar. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 2003. My current position is Foreperson. I have worked at this position since February of 2014.

3. As a Foreperson, I am responsible for coordinating mold repair and coordinate workflow for / crew.

4. I work the first shift. I work overtime as needed. I am paid approximately \$27.05/hr. for regular time, and I receive time and a half pay for all hours worked over forty hours in a workweek.

5. As a Foreperson, I wear the following personal protective equipment (PPE): Safety Glasses, Ear Plugs, and Steel-Toe Boots. I put on my personal protective equipment at 5 minutes before shift. I voluntary wear a uniform.

Ex. 1002-278

exhibitstick.com

6. I usually arrive to the IM2 Plant at 5:00 AM. Once I arrive I clock in at 5:30 AM.

7. It usually takes me 5 minutes to get my PPE and walk to my workstation.

8. I usually stop work at my work station at dependent on workflow, but typically 5:15-5:30 PM.

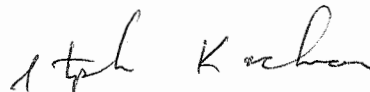
9. Once I leave the floor, I perform the following activities: Change clothes and shower, but voluntary. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of April, 2019 in Lyon Station, Pennsylvania.



STEPHEN KACHMAR

room. I put on/in my ear plugs, my Gloves, Respirator as needed, Hard Hat as needed at my work station.

6. I usually arrive to the Industrial Plant at 9:35p.m. Once I arrive I put my lunch box on shelf in the break room. I then get my clothes from my personal locker, I go to my locker and I put on my uniform, boots, and safety glasses. I clock in and I then walk to the Paste Department.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 5:30a.m. I am allowed to leave the floor at 5:50a.m.

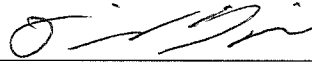
10. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Derik Kalin", written over a horizontal line.

Derik Kalin

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DEREK KANAVINS

1. My name is Derek Kanavins. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since September of 2007. My current position is Dry Charge Leader at the S1 Plant. I have worked in this position since August of 2013. I previously worked as a Utility at the S1 Plant. I worked in this position from November 2011 through August 2013.

3. As a Leader, I am responsible for giving employees work assignments, training employees, and keeping production running and doing production checks throughout the shift.

4. I work the second shift. My shift begins at 1:45pm and ends at 10:15pm. I work Monday through Friday. I am paid \$24.95 per hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Rubber Boots; Gloves; Ear Plugs; Apron (sometimes); Face Shield

Ex. 1002-280

exhibitsticker.com

(sometimes) ; Respirator (sometimes); Hard Hat (sometimes). I put on my uniform and boots in the locker room. I put on my glasses while walking from the locker room to my work station. I put on my hearing protection at my work station. I put the other equipment on at my work station as needed.

6. I usually arrive to the S1 Plant at 1:30pm and have a drink in my car. Once I arrive in the plant, I punch in right away at 1:31pm and then dress and go up to my department.

7. It usually takes me about 2 minutes to change into my uniform. After I have changed into my uniform, I go to the bathroom and then go to the plant floor.

8. I usually arrive at my work station at 1:45pm.

9. I usually stop work at my work station at 10:10pm.

10. It usually takes me 1 minute to walk to the locker room and 1 minute to change out of my uniform.

11. It usually takes me 5 minutes to shower at the end of my shift.

12. After my shift ends, I usually change into my street clothes and then scan out around 10:23pm

13. I usually leave the S1 Plant at 10:23pm.

14. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

15. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

16. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of March, 2019 in Lyon Station, Pennsylvania.



Derek Kanavins

7. I usually arrive to the A1 Plant at 6:15am. Once I arrive I punch in, go into the locker room, grab my uniform, change into my uniform, and head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:20pm. I am allowed to leave the floor at 2:20pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, put my contacts in, punch out and then go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April 2019 in Lyon Station, Pennsylvania.


Jeffrey Kauffman

6. I usually arrive to the A2 Plant at 1:45 p.m. Once I arrive I go to my locker to get my uniform, go to my locker in the locker room and change into my uniform. I go upstairs to the lunch room and talk to friends, then clock in at the lunch room.

7. It usually takes me about 5 to 7 minutes to change into my uniform and boots, and about 1 minute to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my workstation.

9. I usually stop work at my work station at 10:15 p.m. I am allowed to leave the floor between 10:15 p.m. and 10:20 p.m.

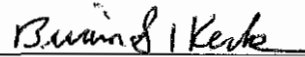
10. Once I leave the floor, I perform the following activities: I go back to my locker, take off my uniform, shower, and put my street clothes back on. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of march, 2019 in Lyon Station, Pennsylvania.



Brian Keck

on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my other PPE, as necessary, on the work floor.

6. I usually arrive at the Industrial Building between 10:03 and 10:04 PM. Once I arrive, I clock in immediately and then I change my clothes. After changing, I spend some time talking with co-workers in the locker room until it is time to begin working. Then, I proceed to my work station.

7. It usually takes me 5 minutes to change into my Uniform, Boots and Glasses.

8. I work until 5:45 AM, when I spend about 15 minutes cleaning my work area. I am permitted to leave the work floor at 6:05 AM.

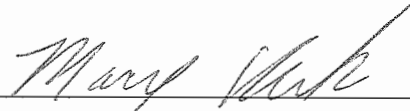
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8 day of April, 2019 in Lyon Station, Pennsylvania.



MARY KECK

4. I work the second shift. I work Monday through Friday. I am paid \$19.75 per hour plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Paste Mixer, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs and a Respirator as needed. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs and Respirator as needed at my work station.

6. I usually arrive to the A4 Plant at 12:30p.m. Once I arrive I go in the locker room and change my clothes into my uniform. Then I punch in and head to the mixing booth in the Paste Shop.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses and walk to the mixing booth in the Paste Shop. I can put on my other PPE at the mixing booth in the Paste Shop when I need it for a job.

8. I usually stop work at my work station at 9:30 p.m. I am allowed to leave the floor at 9:35 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room; I remove my boots and put them in my locker; I take off my used uniform and put it in the laundry bin; I then shower and towel off; I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22 day of March, 2019 in Lyon Station, Pennsylvania.


Justin W. Kehm

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JASON KELLER

1. My name is Jason Keller. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June 1997. My current position is Warehouse Material Handler at the S1 Plant. I have worked in this position since February 2008.

3. As a Warehouse Material Handler, I am responsible for using a forklift to load and unload trailers and transport materials throughout the plant.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$20.35 /hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Material Handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves occasionally; respirator occasionally; and a Hard Hat. I put on my uniform and safety shoes in the locker room. I put my safety glasses on

Ex. 1002-285

exhibitsticker.com

the way to my work station. I put on my Hard Hat and other equipment as required at my work station.

7. I usually arrive to the S1 Plant at 6:40am. Once I arrive I usually grab my uniform, swipe in and go get changed in the locker room and then head to the floor.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my workstation. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station either at 2:45pm depending on my job. I am allowed to leave the floor at 2:50pm.

10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22st day of March 2019 in Lyon Station, Pennsylvania.



Jason Keller

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JOSEPH KELLY

1. My name is Joseph Kelly. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January of 2011. My current position is Dry End Finisher at the A4 Plant. I have worked in this position since September of 2018. I previously worked as a Pasting Take-Off Operator at the A3 Plant. I worked in this position from January of 2011 through January of 2017.

3. As a Dry End Finisher I am responsible to finish the batteries with the correct labels, handles and post protectors. During my shift, there are three of use who work on my line as dry end finishers and we divide up the jobs as follows: When I work as a designated dropper, I scan the orders in preparation for shipping. When I am doing the job as a labeler I put labels on the batteries. When I do the last job I am responsible for putting handles and post protectors on batteries. As dry end finishers we rotate jobs during the shift, that way none of us get bored.

Ex. 1002-286

exhibitsticker.com

4. I work the third shift. I work Monday through Friday. I am paid \$19.30 plus department bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Dry End Finisher, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves optional and Ear Plugs optional. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Gloves-optional, Ear Plugs-optional at my work station.

6. I usually arrive to the A4 Plant at 9:30p.m. Once I arrive I go to the locker room and dress. Then I go to the lunch room and drop my lunch off. I then grab a coffee and sit in the lunch room and wait until punch in time. After I punch in, I go straight out to the floor to my workstation.

7. It usually takes me five minutes to change into my uniform and boots. After I change I punch in. Then I walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:00a.m. I am allowed to leave the floor at 6:05a.m.

10. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes,

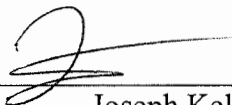
punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.



Joseph Kelly

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JONATHAN KEMNER

1. My name is Jonathan Kemner. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 2017. My current position is a Pasting QA at the S1 Plant since October of 2018. I Previously worked as a Paste Mixer in S1 Plant since August 2017.

3. As a Pasting QA, I am responsible for making sure the plates are up to spec and have proper thickness, weight, dimensions, and temperatures.

4. I work the second shift. I work Monday through Friday.

5. I am paid \$21.00/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a QA, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my uniform, safety glasses and safety shoes in the locker room. I put on my earplugs and gloves at my work station.

Ex. 1002-287

exhibitsticker.com

7. I usually arrive to the S1 Plant at 2:30pm. Once I arrive I grab my uniform, clock in, enter into the locker room, and then change into uniform.

8. It usually takes me 4 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 10:30 pm. I am allowed to leave the floor at 10:35 pm.

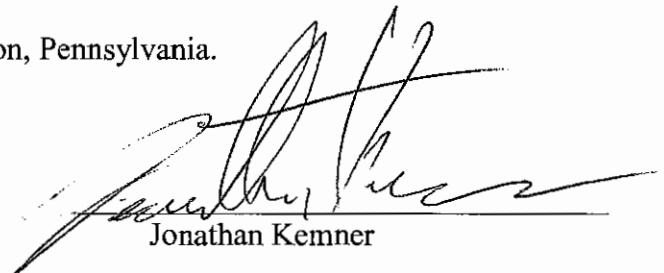
10. Once I leave the floor, I perform the following activities: walk down to the locker room, wash hands, remove my uniform, put uniform into bins, change into my street clothes, and punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March 2019 in Lyon Station, Pennsylvania.



Jonathan Kemner

5. As an assembly technician, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield as needed; Respirator as needed. I put on my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Ear Plugs, Gloves, Face Shield (as needed) and Respirator (as needed) at my work station.

6. I usually arrive to the A2 Plant at 5:25 a.m. Once I arrive I change into my Uniform, go for a cigarette and/or soda, use the bathroom if needed, clock in, and go to the floor.

7. It usually takes me 2 minutes to change into my uniform and boots and about 3 to 4 minutes to walk to my workstation after clocking in. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:10 p.m. and perform cleaning work. I am allowed to leave the floor before 2:17 p.m. or 2:20 p.m.

10. Once I leave the floor, I perform the following activities: go to my locker, get a cigarette and smoke, then shower and change into my personal clothes and wait to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.


Sean Kerschner

safety glasses on as I walk onto the floor. I put on my gloves, ear plugs, hard hat, and respirator at the work station.

7. I usually arrive to the A1 Plant at 6:45am. Once I arrive I go into the locker, grab my uniform, go to my personal locker, change into my uniform, go into the lunch room and check in with co workers, and then clock in and head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:50pm. I am allowed to leave the floor at 2:50pm.

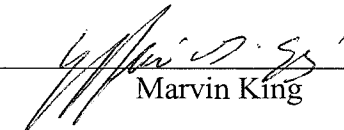
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April 2019 in Lyon Station, Pennsylvania.


Marvin King

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ANDREW T. KLEIN

1. My name is Andrew T. Klein. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 2010. My current position is an Electrical Maintenance Technician at the A4 Plant. I have worked in this position since June of 2014.

3. As an Electrical Maintenance Technician, I am responsible for maintaining and repairing electrical systems and equipment.

4. I work the first shift. I work Monday through Friday. I am paid \$28.35 and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an Electrical Maintenance Technician, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs, Face Shield, Respirator when needed, Hard Hat as needed. I put on my Uniform, Safety Glasses,

Ex. 1002-290

exhibittrucker.com

Steel-Toe Boots, in the locker room. I put on my Gloves, Ear Plugs, Face Shield, Respirator when needed, Hard Hat as needed at my work station.

6. I usually arrive to the A4 Plant at 6:00a.m. Once I arrive I go to my locker. I get changed and then I punch in. Then I go to the lunchroom and eat my breakfast. I then go out to the maintenance shop.

7. It usually takes me three to five minutes to change into my uniform, boots and glasses and walk to my workstation.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 3:15pm. I am allowed to leave the floor at 3:17pm.

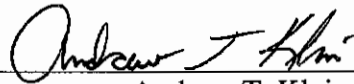
10. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Andrew T. Klein", is written over a horizontal line.

Andrew T. Klein

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ANITA KLEMM

1. My name is Anita Klemm. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since July of 2005. My current position is Assembly Take Off/Dunk Tank at the A4 Plant. I have worked in this position since April 2016. I previously worked as Finish Line Dry End at the A3. I held that position from July 2006 to April 2016.

3. As an Assembly Take Off/Dunk Tank employee, I am responsible for taking batteries off the line and putting them on the pallet. I also place the batteries into the dunk tank to check for leaks.

4. I work the third shift. I work Monday through Friday. I am paid \$19.20 per hour, plus department bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an Assembly Take Off/Dunk Tank employee, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots and Gloves. I put on my

Ex. 1002-291

xhibitsticker.com

Uniform, Safety Glasses, and Steel-Toe Boots on in the bathroom stall in the locker room. I put on my Gloves on at my work station.

6. I usually arrive to the A4 Plant at 10:00p.m. Once I arrive, I go to my uniform locker and remove my uniform and gear and go to the bathroom to change in the bathroom stall in the locker room. I then go the lunch room and wait until I can punch in. Then I go to the floor to my workstation to start the day.

7. It usually takes me about five minutes to change into my uniform and boots and glasses and to walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:17a.m. I am allowed to leave the floor at 6:18a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March, 2019 in Lyon Station, Pennsylvania.


Anita Klemm

6. I usually arrive to the A4 Plant at 10:30p.m. Once I arrive I punch in. I then go to my locker and get my uniform, boots and safety glasses. Once changed I proceed to my work station.

7. It usually takes me five minutes to change into my uniform, boots and my safety glasses and walk to my workstation. I can put on my other PPE when I arrive at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:40a.m. I am allowed to leave the floor at 6:45.

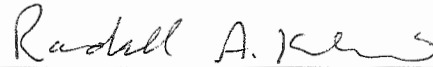
10. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Randall A. Kline", written in black ink.

Randall Kline

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF TIFFANY KLINE

1. My name is Tiffany Kline. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since August of 2012. My current position is Finisher at the A3 Plant. I have worked in this position since November of 2016. I previously worked as a Hyrate Operator at the A3 Plant. I worked in this position from October of 2014 through November of 2016

3. As a Finisher, I am responsible for labeling batteries, applying accessories to batteries, and putting batteries on skids.

4. I work the second shift. I work Monday through Friday. I am paid \$19.10 / hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Finisher, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in the locker room. I put on my Gloves and Ear Plugs at my work station.

Ex. 1002-293

exhibitclerk.com

6. I usually arrive to the A3 Plant between 2:25 p.m. and 2:30 p.m. Once I arrive I go to my personal locker and put my personal belongings in the locker, go to the uniform locker and get my uniform, go back to my personal locker and change into my Uniform and Steel-Toe Boots, punch in, and walk to my workstation.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:30 p.m. I am allowed to leave the floor at 10:35 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, grab towels, remove my uniform and steel-toe boots, shower, dress in my street clothes, gather my personal belongings, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.



TIFFANY KLINE

Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the OX1 Plant at 7:45 a.m. Once I arrive I go to the lunch room, put my lunch in the refrigerator, go to the uniform locker, get my uniform, go to the clean-side locker and put on my uniform, go to the dirty-side locker and put on my steel-toe boots, and go to my work station. As a Leader, I do not punch in or out on the timeclock; rather, I record my time worked by manually recording it and giving it to the Superintendent.

7. It usually takes me three minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:45 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the lunch room and wait until it is time for the other employees to punch out. I then go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of April, 2019 in Lyon Station, Pennsylvania.


JEFFREY KOHLER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF LISA KOPICZ

1. My name is Lisa Kopicz. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since October of 2005. My current position is Dry End Finisher at the A4 Plant. I have worked in this position since May of 2014.

3. As a Dry End Finisher I am responsible to finish the batteries with the correct labels, handles and post protectors. During my shift I am designated the dropper. I scan the orders in preparation for shipping.

4. I work the second shift. I work Monday through Friday. I am paid \$19.30 plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Dry End Finisher, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves optional, Ear Plugs (optional). I put on my Uniform, Safety Glasses, Steel-Toe Boots in the locker room. I put on my Gloves (optional) and Ear Plugs (optional) at my work station.

Ex. 1002-295

exhibitster.com

6. I usually arrive to the A4 Plant at 1:30p.m. Once I arrive I go to the locker room and dress. Then I go to the lunch room until punch in time. After I punch in I go straight to the floor.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:00p.m. I am allowed to leave the floor at 10:05p.m.

9. Once I leave the floor, I go to the locker room. Then I remove my boots and put them in my locker. I then take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this _____ day of _____, 2019 in Lyon Station, Pennsylvania.



Lisa Kopicz

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DEREK KRAMER

1. My name is Derek Kramer. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since May of 2015. My current position is Enveloper Series II at COS the A4 Plant. I have worked in this position Enveloper Series II since July of 2017. I previously worked as a Dry Charge Operator the A1 Plant. I worked in this position from May of 2015 through July 2017.

3. As an Enveloper Series II, I am responsible for taking plates off the rack; I break them up and feed the plates into the machine.

4. I work the third shift. I work Monday through Friday. I am paid \$19.60 per hour, plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an Enveloper Series II, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs and a Respirator as needed. I put

Ex. 1002-296

exhibitclerk.com

on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs and Respirator as needed at my work station.

6. I usually arrive to the A4 Plant at 10:15p.m. Once I arrive, I punch in. I go my uniform locker and remove my uniform and gear and go to my personal locker to get dressed. Then I go to the floor and go to my workstation to start the day.

7. It usually takes me about five minutes to change into my uniform and boots and glasses and to walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:10a.m. I am allowed to leave the floor at 6:20a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.

Derek Kramer
Derek Kramer

7. I usually arrive to the A1 Plant at 6:05am. Once I arrive I go into the locker room, grab my uniform, change into my uniform, then go into the lunch room, and then clock in and head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my work station.

9. I usually stop work at my work station at 2:05PM. I am allowed to leave the floor at 2:20PM.

10. Once I leave the floor, I perform the following activities: go to the locker room, get my punch card, clock out, shower, change into my street clothes, and then go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April 2019 in Lyon Station, Pennsylvania.


Dale Krantz

Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my other forms of PPE, as needed, on the work floor.

6. I usually arrive at the S-1 Plant at 10:45 PM. Once I arrive, I clock in immediately, gather my uniform and change my clothes. After changing, I head directly to my work station to begin working immediately.

7. It usually takes me less than 5 minutes to change into my Uniform, Safety Glasses and Boots.

8. I usually stop production work between 6:40 to 6:45 AM, at which time I clean up my work area. On most work days, I am permitted to leave the floor at 6:50 AM.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'G. Kressley', is written over a horizontal line.

GEORGE KRESSLEY

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF RYAN KRICK

1. My name is Ryan Krick. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April 2014. My current position is Terminal Post Burner at the S1 Plant. I have worked in this position since April 2014.

3. As a Terminal Burner, I am responsible for burning terminal posts onto different types of batteries or pour lead into a mold to make a terminal posts on the assembly line.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$19.25 /hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Terminal Burner, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs. I put on my uniform, safety shoes in the locker room. On my way into the plant, I put on my safety glasses. I put on my earplugs and gloves at my work station.

Ex. 1002-299

exhibitree.com

7. I usually arrive to the S1 Plant at 6:18am. Once I arrive, I punch in, grab my uniform and change, and sometimes go to the lunchroom and then go to the workplace.

8. It usually takes me 3 minutes to change into my uniform and 2.5 minutes to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime. I am aware that there is a five minute grace period to arrive at my work station after my start time.

9. I usually stop work at my work station at 2:15 pm. I am allowed to leave the floor at 2:20pm.

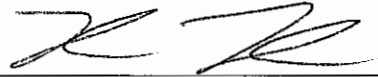
10. Once I leave the floor, I perform the following activities: remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'R Krick', is written above a horizontal line.

Ryan Krick

and Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on other forms of my PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant at 9:35 PM. Once I arrive, I use the restroom and then change my clothes. Afterwards, I clock in and then walk to my workstation in the Pasting Department and begin work.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots and walk to my work station. I put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work between 6:00 and 6:05 AM. I then leave the floor at 6:05 AM and walk to the locker room.

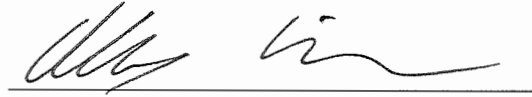
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Alex Kriner', is written over a horizontal line.

ALEX KRINER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF BRIAN KUNKEL

1. My name is Brian Kunkel. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since March of 2010. My current position is in Maintenance Mechanic at the A1 Plant. I have worked in this position since November of 2011.

3. As a Maintenance Mechanic, I am responsible for the daily maintenance of the production facility at the A1 plant.

4. I work the third shift. I work Monday through Friday. I am paid 26.60 hourly and I receive time and a half pay for all hours worked over forty hours in a workweek. I am paid from when I punch in to when I punch out.

5. As a Maintenance Mechanic, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs, Face Shield at needed, Respirator as needed and Hard Hat as needed. I put on my Uniform, Safety Glasses, and Steel-

Ex. 1002-301

exhibitstick.com

Toe Boots in the locker room. I put on my Gloves, Ear Plugs, Face Shield as needed, Respirator as needed and Hard Hat as needed at my work station.

6. I usually arrive to the A1 Plant at 9:40p.m. Once I arrive I punch in, then I get my uniform, put my uniform on. I then go to the mechanic's shop.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses and walk to the Mechanic's shop. I can put on my other PPE at the Mechanic's shop when I need it for a job.

8. As a Maintenance Mechanic when I am finished with my day, because I have no set end time, I return to the locker room.

9. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of April, 2019 in Lyon Station, Pennsylvania.

Brian Kunkel

Brian Kunkel

and Steel-toe boots in the locker room. I put on my Gloves and Ear Plugs while walking from the locker room to my work station or at my work station.

6. I usually arrive to the A2 Plant at 6:00 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, go to the smoke shack and smoke a cigarette, then go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station between 2:15 p.m. and 2:20 p.m. I am allowed to leave the floor at 2:20 p.m.

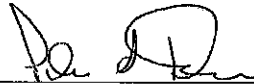
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Peter Kunkleman', is written over a horizontal line.

PETER KUNKLEMAN

put on my uniform and safety shoes in the locker room. As I walk to the plant floor, I put on my safety glasses. I put on any other equipment as needed at my work station.

7. I usually arrive to the S1 Plant at 5:45am. Once I arrive, I punch in, grab my uniform, change, go to office and check mail and then go to the workplace.

8. It usually takes me 4 minutes to change into my uniform and 1 minute to walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

9. I usually stop work at my work station at 2:45 pm. I am allowed to leave the floor at 2:50pm.

10. Once I leave the floor, I perform the following activities: stop in the office to drop off paperwork, remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March 2019 in Lyon Station, Pennsylvania.



Russell Kunkleman

and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment while walking from the locker room to my work station or at my work station as needed.

6. I usually arrive to the Oxide 2 Plant between 4:30 a.m. and 5:00 a.m. Once I arrive I put my lunch box in the lunch room, go to the uniform locker, get my uniform, go to the clean-side locker and put on my uniform, go to the dirty-side locker and put on my steel-toe boots, and go to my work station. As a Superintendent, I do not punch in or out on the timeclock; rather, I record my time worked by manually recording it.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:30 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the dirty-side locker, remove my uniform and steel-toe boots, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of April, 2019 in Lyon Station, Pennsylvania.



CHRISTOPHER KUTZ

my Uniform and Boots in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Ear Plugs and Respirator (as needed) at my work station.

6. I usually arrive to the A4 Plant at 10:15 a.m. Once I arrive I get my uniform from my uniform locker, clock in, go change into my uniform, then go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation

9. I usually stop work at my work station at 6:07 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

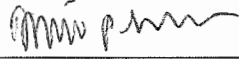
10. Once I leave the floor, I perform the following activities: leave the floor, go to the locker room, undress, shower, get dressed, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of May, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Miles Lahue", written over a horizontal line.

Miles Lahue

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF SHAWN F. LAKY

1. My name is Shawn F. Laky. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November of 2012. My current position is Off-Bearer at the A-4 Plant. I have worked in this position since approximately August of 2016. I previously worked as a Group Dropper Off-Bearer at the A-1 Plant. I worked in this position from November of 2012 through August of 2016.

3. As an Off-Bearer, I am responsible for putting batteries on palettes.

4. I work the second shift. I work Monday through Friday and sometimes Sunday (as needed). I am paid approximately \$18.00/hr. plus variable production bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-306

<http://www.elsevier.com/locate/jbiotec>

5. As an Off-Bearer, I wear the following personal protective equipment (PPE): Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my Ear Plugs at my work station.

6. I usually arrive to the A-4 Plant at 2:00 pm. Once I arrive, I grab my uniform, put on my uniform, talk to colleagues and wait to clock in.

7. It usually takes me 8 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 10:12 pm. I am allowed to leave the floor at 10:17 pm.

10. Once I leave the floor, I perform the following activities: undress, shower, put on my street clothes and clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of March, 2019 in Lyon Station, Pennsylvania.


SHAWN F. LAKY

7. I usually arrive to the S1 Plant at 5:50 am. Once I arrive, I grab my uniform and change, read a magazine in my locker room and then punch in and then go to the workplace.

8. It usually takes me 5 minutes to change into my uniform and 2 minutes to walk to my workstation. I can put on my PPE while walking to my workstation or at my workstation at the start of my worktime. I am aware that there is a five minute grace period after my shift starts to arrive at my work station after my start time.

9. I usually stop work at my work station at 2:10pm. I am allowed to leave the floor at 2:20pm.

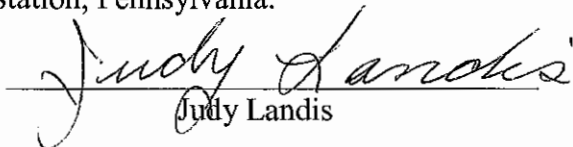
10. Once I leave the floor, I perform the following activities: remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March 2019 in Lyon Station, Pennsylvania.


Judy Landis

5. As a Finisher, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs. I put on my uniform, safety glasses, boots in the locker room. I put on my ear plugs and gloves at my work station.

6. I usually arrive to the S1 Plant at 5:55am. Once I arrive I go to the lunchroom and drop off my coffee and paper in the lunchroom and then go change into my uniform in the locker room. I then return to the lunchroom and drink my 24 ounce coffee and wait to clock in to work.

7. I usually scan my time card to clock in at 6:35am. Then I go to the locker room and return my badge and newspaper to my locker and then head upstairs

8. It usually takes me about 2 minutes to change into my uniform. After I have changed into my uniform, I go to the lunchroom and relax before work.

9. I usually arrive at my work station at 6:40am and stand there for 5-6 minutes. There is a five minute grace period after my shift starts to report to my workstation

10. I usually stop work at my work station at 2:27pm. Then, I clean up my work station. I am allowed to leave the floor at 2:35pm.

11. It usually takes me 2 minutes to walk to the locker room and change out of my uniform.

12. It usually takes me 5 minutes to shower at the end of my shift.

13. After my shift ends, I usually wait at least 2 minutes the timeclock to punch out at 2:45pm. I am always at the clock before it is time to punch out.

14. I usually scan my time card to clock out at 2:45pm

15. I usually leave the S1 Plant at 2:45pm.


16. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

17. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

18. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Patrick C. Landis", written over a horizontal line.

Patrick Landis

Ex. 1002-309

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF BRADLEY LANE

1. My name is Bradley Lane. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since March 2011. My current position is a COS/Dynamac Floater at the A1 Plant. I have worked as a COS/Dynamac Floater since October 2018. I previously I worked as a COS/Dynamac Operator since July 2015. I previously worked as an Extrusion Operator A in Kutztown Wire & Cable since September 2011.

3. As a COS/Dynamac Floater, I am responsible for operating the Envelopers, operating the Dynamac machines, and covering for people who are absent or leave early.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$21.00/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a COS/Dynamac Floater I wear the following personal protective equipment: Uniform; Safety Glasses; Metatarsal Steel-Toe Shoes; Gloves; Ear Plugs; Respirator as needed, Hard Hat as needed. I put my uniform and safety shoes on in the locker room. I put my safety

glasses on as I walk onto the floor. I put on my gloves, ear plugs, respirator, and hard hat at the work station.

7. I usually arrive to the A1 Plant at 6:25am. Once I arrive I clock in, go into the locker room, grab my uniform, change into my uniform, and then go to my work station.

8. It usually takes me 3 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:10pm. I am allowed to leave the floor at 2:20pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April 2019 in Lyon Station, Pennsylvania.


Bradley Lane

Ex. 1002-310

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF KEVIN LAPP

1. My name is Kevin Lapp and I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since November 2013. My current position is a Quality Auditor at the A1 Plant. I have worked as a Quality Auditor since January 2017. I previously worked as an Enveloper in A1 since January 2015. I previously worked in the Refinery at the Smelter since November 2013.

3. As a Quality Auditor, I am responsible for doing quality checks on batteries in COS, checking groups, cased batteries, envelopes, and paper.

4. I work the second shift. I work Monday through Friday.

5. I am paid approximately \$22.00/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Quality Auditor I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves when necessary; and Earplugs. I put on my

uniform and safety shoes in the locker room. I put on my safety glasses on my way to my work station. I put on my gloves and ear plugs at my work station.

7. I usually arrive to the A1 Plant at 2:20pm. Once I arrive I punch in, go into the locker room, change into my uniform, and go to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 10:15pm. I am allowed to leave the floor at 10:15pm.

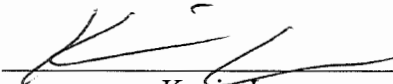
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, punch out and then go home. The ten minutes provided to me at the end of my shift to go the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift tim.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April 2019 in Lyon Station, Pennsylvania.


Kevin Lapp

Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my other forms of PPE, as needed, on the work floor.

6. I usually arrive at the S-1 Plant at 10:30 PM. Once I arrive, I clock in immediately, gather my uniform and change my clothes. After changing, I head directly to my work station to begin working immediately.

7. It usually takes me 5-7 minutes to change into my Uniform, Safety Glasses and Boots.

8. I usually stop production work at 6:20 AM, at which time I spend 15 minutes cleaning up my work area. On most work days, I am permitted to leave the floor at 6:35 AM.

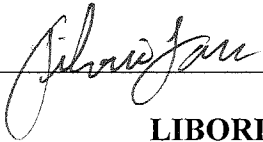
9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10 day of April, 2019 in Lyon Station, Pennsylvania.


LIBORIO LARA

Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs, and Face Shield (as needed), Respirator (as needed), Hard Hat (as needed) at my work station.

6. I usually arrive to the A4 Plant at 7:32 am. Once I arrive I punch in, put lunchbox on the shelf in the lunch room and go to the locker room. I then change into my uniform and head to my office.

7. It usually takes me five to six minutes to change into my uniform, boots, and glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. As a Maintenance Supervisor when I am finished with my day, because I have no set end time, I return to the locker room.

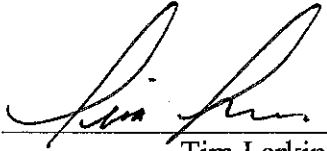
10. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. It takes me less than 10 minutes to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of MARCH, 2019 in Lyon Station, Pennsylvania.



Tim Larkin

5. As a quality assurance, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Work Gloves; Ear Plugs; Face Shield as required; and Hard Hat as required. I put on my Uniform; Safety Glasses; and Steel-Toe Boots in the locker room. I put on my Ear Plugs; Face Shield; and Hard Hat at my work station.

6. I usually arrive to the Smelter Annex Plant at 2:27 PM. Once I arrive I clock in, go to the lunchroom to put away my lunch bag, go to my uniform locker to get my uniform, go to my personal locker, change from my street clothes to my uniform and steel-toc boots, put on my safety glasses, and walk to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, put on my safety glasses, and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I frequently use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:25 PM. I am allowed to leave the floor at 2:25 PM.

10. Once I leave the floor, I perform the following activities: go to the locker room, get a towel, go to my personal locker, take off my uniform and steel-toe boots, take a shower, change into my street clothes, put my uniform and towel in the laundry bins, go to lunchroom to get my lunch bag, and clock. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April, 2019 in Lyon Station, Pennsylvania.


Bruce G. Laurent Jr.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF KYLE LAWHORNE

1. My name is Kyle Lawhorne. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 2013. My current position is Formation Floater at the S1 Annex Plant. I have worked as a Formation Floater since December of 2018. I previously worked as a Dry Charge Operator in the S1 Annex Building since December 2015. I previously worked as a Formation Attendant since August 2013.

3. As a Forming Room Floater, I am responsible for watering and reading the acid tanks, pulling, dropping, burning positive and negative plates, and also running the dry charge ovens.

4. I work the second shift. I work Monday through Friday.

5. I am paid \$19.40/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-314

exhibitclerk.com

6. As a Formation Floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves, Respirator occasionally, Earplugs, Hard Hat occasionally, Face Shield occasionally, and Apron occasionally. I put on my uniform and safety shoes in the locker room. I put on my safety glasses on my way to the work station. I put on my gloves, respirator, face shield, hard hat, apron, and ear plugs on at my work station.

7. I usually arrive to the S1 Annex Plant at 1:40pm. Once I arrive I go into the lunchroom and eat food, clock in, and then grab my uniform, go into the locker room, change into uniform, and then walk to my walk station.

8. It usually takes me 2 minutes to change into my uniform and 1 minute to walk to my workstation.

9. I usually stop work at my work station at 10:00pm. I am allowed to leave the floor at 10:05pm.

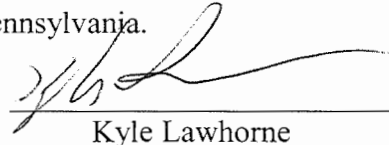
10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'K. Lawhorne', is written over a horizontal line.

Kyle Lawhorne

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JAMES LEBLANC

1. My name is James LeBlanc. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since December of 2004. My current position is Refinery Pots at the Smelter Plant. I have worked in this position since 2016. I previously worked as a Reverb Furnace Operator at the Smelter Plant. I worked in this position from 2008 through 2016.

3. As a Refinery Pots, I am responsible for removing lead from the reverb and blast furnaces and using it to make alloys.

4. I work the first shift. I work a rotating schedule of six days on followed by two days off. I am paid approximately \$21 / hour and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-315

exhibitclerk.com

5. As a Refinery Pots, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield; Respirator; Hard Hat. I put on all of my personal protective equipment in the locker room.

6. I usually arrive to the Smelter Plant at between 7:25 a.m. and 7:30 a.m. Once I arrive I go to the uniform locker room and retrieve my coveralls uniform and respirator. I then go to the clean locker, place my coveralls and respirator on the bench and go to the dirty locker to get my boots. I change into my uniform and boots then go to the smoke shack. At 7:49 a.m. I return to the locker room and get my respirator. I then go to the dirty locker and get my hard hat, and gloves. I then proceed to my work station where I clock in at 7:53 a.m. (it is automatically adjusted to 7:45 a.m.).

7. It usually takes me six minutes to change into my uniform and other personal protective equipment and walk to my workstation.

8. I usually stop work at my work station at 3:50 p.m. I am allowed to clock out and leave the floor at 3:55 p.m. (which is automatically adjusted to 4:15 p.m.).

9. Once I leave the floor, I perform the following activities: I clock out at 3:55 p.m., go to the dirty locker, remove my boots, hard hat and safety glasses and put them in the dirty locker and throw my ear plugs in the garbage. I then go to the laundry chute and place my respirator and uniform in the chutes. I then go to the clean locker, undress, shower, change into my street clothes, and leave. The twenty minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March, 2019 in Lyon Station, Pennsylvania.


JAMES LEBLANC

6. I usually arrive to the Central Services Plant at 10:40p.m. Once I arrive I punch in, then I get my uniform and go to my personal locker. I then change into my Uniform, Steel-Toe Boots, Safety Glasses and Gloves. I then go to the Laundry room.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots, Safety Glasses and gloves, and walk to the laundry.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:15a.m. I am allowed to leave the floor at 6:50a.m.

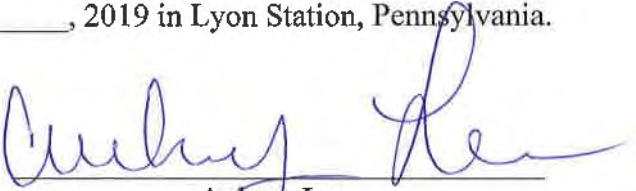
10. Once I leave the floor, I perform the following activities: I go the locker room, and remove my boots. I then grab what I need for the shower, along with my street clothes and head for the shower. I then change out of my uniform and take my shower, then I towel off. I then put on my street clothes. I then take my used uniform and put it in the laundry bin. Next I return to my locker. Then I put everything away, leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12 day of April, 2019 in Lyon Station, Pennsylvania.



Aubrey Lee

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF JESUS LEIJA

1. My name is Jesus Leija. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 2016. My current position is formation floater at the S1 Plant. I have worked in this position since November 2016. I previously worked as a trainee at COS at the S1 Plant. I worked in this position from August 2016 through November 2016.

3. As a formation floater, I am responsible for doing all workers' jobs as needed, whenever somebody does not show to work.

4. I work the third shift. I work Monday through Friday. I am paid about \$20/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a formation floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Apron; Respirator; and Hard Hat. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves; Ear Plugs; Apron; Respirator; and Hard Hat at my work station.

Ex. 1002-317

exhibitclerk.com

6. I usually arrive to the S1 Plant at 10:12 p.m. Once I arrive I punch in, get my uniform, go to my locker, change, and go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 5:55 a.m. and perform clean-up. I am allowed to leave the floor at 6:05 a.m.

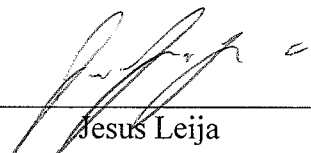
9. Once I leave the floor, I perform the following activities: put my respirator in the bucket, put my boots on the boot rack, go to the locker room, undress, shower, change in to my personal clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.



Jesus Leija

5. As a Pasting Takeoff Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves (multiple varieties); Respirator; and Ear Plugs. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on other forms of my PPE, as needed, on the work floor.

6. I usually arrive at the A-2 Plant at 9:50 PM. Once I arrive, I clock in immediately and then change my clothes. Afterwards, I use the restroom and then walk to my workstation in the Pasting Department and begin work.

7. It usually takes me 5 minutes to change into my Uniform, Safety Glasses and Boots and walk to my work station. I put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at 6:05 AM. I then leave the floor at 6:05 AM and walk to the locker room.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, and change into my street clothes. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of March, 2019 in Lyon Station, Pennsylvania.



CODY LENGEL

6. I usually arrive to the A3 Plant at 1:45 p.m. Once I arrive I punch in, go to my uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:48 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.



MARK LENHARDT

Respirator; and Hard Hat. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the OX1 Plant at 3:30 a.m. Once I arrive I go to the uniform locker, get my uniform, go to the clean-side locker and change into my uniform, go to the dirty-side locker and put on my steel-toe boots, punch in, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:50 p.m. and I am allowed to leave the floor at that time.

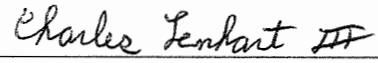
9. Once I leave the floor, I perform the following activities: I go to the bathroom and wash my hands, go to the lunch room and wait until it is time to punch out, punch out, go to the dirty-side locker, remove my steel-to boots and uniform, put my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th ay of April, 2019 in Lyon Station, Pennsylvania.



CHARLES LENHART, III

6. I usually arrive to the A4 Plant at 10:25 p.m. Once I arrive I clock in, go to my locker and get my uniform, go to the locker room and change into my uniform, then proceed to the work floor.

7. It usually takes me 8 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation.

8. There is a five minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 6:30 a.m. I am allowed to leave the floor at 6:32 a.m.

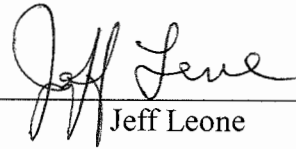
10. Once I leave the floor, I perform the following activities: take off my uniform, grab a towel, shower, change into my street clothes, leave the locker room, clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of MARCH, 2019 in Lyon Station, Pennsylvania.



Jeff Leone

Glasses in the locker room. I put on my Gloves; Ear Plugs; Goggles; and Hard Hat (as needed) at my work station.

6. I usually arrive to the A4 Plant at 4:05 a.m. Once I arrive I clock in, go to the locker room and get my uniform, go to my locker and get dressed in my uniform, take my lunch to the lunch room, and go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and 4 minutes to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:00 p.m. I am allowed to leave the floor at 2:05 p.m.

9. Once I leave the floor, I perform the following activities: go to the locker room, get my street clothing out of my locker, take off my boots, go to the shower room and undress, shower, change into my street clothing, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of April, 2019 in Lyon Station, Pennsylvania.

Jennifer Lerch
Jennifer Lerch

7. I usually arrive to the A1 Plant at 6:30am. Once I arrive I grab my uniform, change, punch in, and then head to my work station.

8. It usually takes me 3 minutes to change into my uniform and 3 minutes to walk to my work station.

9. I usually stop work at my work station at 2:45pm. I am allowed to leave the floor at 2:50pm.

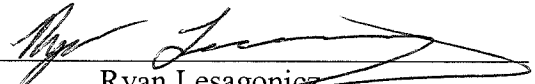
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April 2019 in Lyon Station, Pennsylvania.


Ryan Lesagoniez

Glasses; Gloves; Ear Plugs; Hard Hat; Face Shield (when required); Rubber Gloves (when working with electricity); Balaclava (when required); Arc rated shirt (when required) at my work station.

6. I usually arrive to the Central Services Plant at 2:45 pm. Once I arrive I scan in, go to the lunch room, put my lunch box on the shelf, go to the locker room, go to my locker, get dressed, go to my workstation.

7. It usually takes five minutes to change into my uniform, and boots. It usually takes two minutes to walk from the locker room to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 11:50 pm. I am allowed to leave the floor at 11:50 pm.

9. Once I leave the floor, I perform the following activities: go to my uniform locker, get my uniform for the next day, go to my personal locker, get undressed, go and take a shower, go back to my personal locker, get dressed, go to the punch clock, scan out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2 day of April, 2019 in Lyon Station, Pennsylvania.



DAVID LICTENWALNER

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF PRESTON LICHTENWALNER

1. My name is Preston Lichtenwalner. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since May 2012. My current position is a Pasting Takeoff Operator at the S1 Plant. I have worked in this position since May 2012.

3. As a Pasting Take-off Operator, I am responsible for ensuring that pasted plates are high quality and in spec and skidding the plates to go to the next department.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$19.65/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

6. As a Pasting Takeoff Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear plugs, Face shield occasionally, and respirator occasionally. I put on my uniform, glasses and safety shoes in the

Ex. 1002-325

exhibitsticker.com

locker room. I put on my safety glasses on my way to the workstation. I put on my gloves and ear plugs at my work station.

7. I usually arrive to the S1 Plant at 6:49am. Once I arrive I usually punch in, grab my uniform, go get changed in the locker room and then head to the floor.

8. It usually takes me 2-3 minutes to change into my uniform and 1-2 minutes to walk to my workstation.

9. I usually stop work at my work station either at 2:45pm depending on my job. I am allowed to leave the floor at 2:50pm.

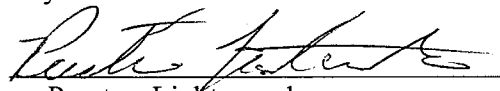
10. Once I leave the floor, I perform the following activities: go down to the locker room, remove my uniform and shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22st day of March 2019 in Lyon Station, Pennsylvania.


Preston Lichtenwalner

Glasses in the locker room. I put on my Gloves, Ear Plugs, Face Shield as needed and Respirator as needed and Hard Hat a at my work station.

6. I usually arrive to the A1 Plant at 10:45p.m. Once I arrive, I punch in, go to my locker, get changed and then go out to the Pasting Department.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots, and Safety Glasses and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:45a.m. I am allowed to leave the floor at 6:50a.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in blue ink, appearing to read "Noel Llanos", written over a horizontal line.

Noel Llanos

Glasses in the locker room. I put on my Gloves, Face Shield as needed and Hard Hat at my work station.

6. I usually arrive to the Industrial/Automotive Plant at 10:15p.m. Once I arrive I then get my uniform and go to my personal locker and change into my Uniform, Steel-Toe Boots and Safety Glasses. I punch in and then head out to floor.

7. It usually takes me five minutes to change into my Uniform, Steel-Toe Boots and Safety Glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:27a.m. I am allowed to leave the floor at 6:33a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove Safety Glasses and Steel-Toe Boots; then I put my boots away. I take my street clothes inside the shower. I then remove my uniform and take my used uniform and put it in the laundry bin. I take my shower and then I towel off. I then return to my locker room and punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of April, 2019 in Lyon Station, Pennsylvania.

Kim Long
Kim Long

protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the A2 Plant at 2:20 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, punch in, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:25 p.m. I am allowed to leave the floor at 10:35.p.m.


9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of April, 2019 in Lyon Station, Pennsylvania.



JUAN LOPEZ

remaining personal protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the OX1 Plant between 3:40 p.m. and 3:45 p.m. Once I arrive I put my lunch in the lunch room, punch in, go to the uniform locker, get my uniform, go to the clean-side locker and put on my uniform, go to the dirty-side locker and put on my steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 11:50 p.m. I am allowed to leave the floor at 11:55 p.m.

9. Once I leave the floor, I perform the following activities: I punch out, go to the dirty-side locker, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.


ODANEURKYS PIMENTEL LOPEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF FRANK R. LOPEZ-OCASIO

1. My name is Frank R. Lopez-Ocasio. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 2014. My current position is set up operator at the Smelter Annex Plant. I have worked in this position since August of 2017. I previously worked as a hand caster at the Smelter Annex Plant. I worked in this position from August of 2014 through August of 2017.

3. As a set up operator, I am responsible for setting up the coating lines and the heat seal machine.

4. I work the second shift. I work Monday through Friday. I work mandatory overtime and voluntary overtime when offered. I am paid \$21.80/hr., and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-330

exhibitster.com

5. As a set up operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Heat and Rubber Gloves; Apron as necessary; Face Shield as necessary; and Hard Hat as necessary. I put on my Uniform; Safety Glasses; and Steel-Toe Boots in the locker room. I put on my Heat and Rubber Gloves; Apron; Face Shield; and Hard Hat at my work station.

6. I usually arrive to the Smelter Annex Plant at 2:15 PM. Once I arrive I go to my personal locker in the locker room to get my uniform locker key, go to my uniform locker to get my uniform, clock in, go to the lunch room to put away my lunch bag, to go my personal locker to change from my street clothes into my uniform and steel-toe boots, put on my safety glasses, and walk to my workstation.

7. It usually takes me five (5) minutes to change into my uniform and steel-toe boots, put on my safety glasses, and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five (5) minute grace period after my shift starts to report to my workstation. I sometimes use this grace period to report to my workstation.

9. I usually stop work at my work station at 10:45 PM. I am allowed to leave the floor at 10:50 PM.

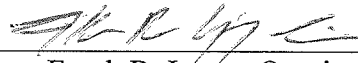
10. Once I leave the floor, I perform the following activities: go to the locker room, get a towel, go to my personal locker, take off my uniform, put my uniform in the laundry bin, take a shower, change into my street clothes, put towel in laundry bin, go to lunch room to get my lunch bag, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.



Frank R. López-Ocasio

personal protective equipment while walking from the locker room to my work station or at my work station.

6. I usually arrive to the A2 Plant at 1:50 p.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 9:40 p.m. I am allowed to leave the floor at 9:50 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of April, 2019 in Lyon Station, Pennsylvania.


BRYAN LOPEZ-TEJADA

5. As a Material Handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Gloves; Ear Plugs; Face Shield; Hard Hat; and Steel-Toe/Metatarsal Boots. I put on my Uniform, Safety Glasses and Boots in the locker room. I put on my other PPE, as necessary, on the work floor.

6. I usually arrive at the Industrial Building at 10:40 PM. Once I arrive, I clock in immediately and then I change my clothes. After changing, I proceed to my work station.

7. It usually takes me 5 minutes to change into my Uniform, Boots and Glasses.

8. I work until 6:47 AM. I am permitted to leave the work floor at 6:50 AM.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9 day of Aug, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Edgar Lora', is written above a horizontal line.

EDGAR LORAH

Ex. 1002-333

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF ANDRELY LORENZO-CASTILLO

1. My name is Andrelly Lorenzo-Castillo and I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since September 2012. My current position is a Case Puncher at the A1 Plant. I have worked as a Case Puncher since January 2015. I previously worked as a Post Burner in A1 since 2012.

3. As a Case Puncher, I am responsible for making sure the cases are going down the line in the right direction, making sure the holes are the correct diameter and matches up to the first piece.

4. I work the second shift. I work Monday through Friday.

5. I am paid approximately \$17.00/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Case Puncher I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves; and Earplugs. I put on my uniform, safety shoes, and safety glasses in the locker room. I put on my earplugs and gloves at my work station.

7. I usually arrive to the A1 Plant at 2:45PM. Once I arrive I put my lunch box on the shelf in the lunch room, then go into the locker room, change into my uniform, and then sit in the lunch room and wait, and then clock in and go to my work station.

8. It usually takes me 4 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 11:00pm. I am allowed to leave the floor at 11:05pm.

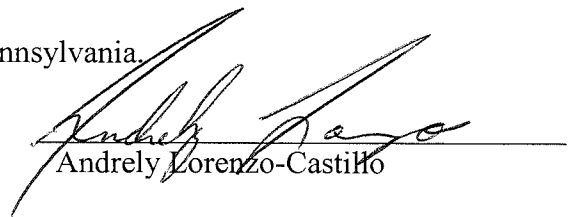
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, and then go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April 2019 in Lyon Station, Pennsylvania.


Andrely Lorenzo-Castillo

Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my Gloves and Face Shield at my work station.

6. I usually arrive to the Industrial Automotive Plant at 4:16 am. Once I arrive I clock in, get my uniform, put on my uniform, put on safety glasses and boots and walk to my work station.

7. It usually takes me 7 to 8 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:15 pm. I am allowed to leave the floor at 2:17 pm.


9. Once I leave the floor, I perform the following activities: go to locker room, undress, shower, put on street clothes and wait to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March, 2019 in Lyon Station, Pennsylvania.


TIMOTHY LUTZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF BRITTNEY MAGROWSKI

1. My name is Brittney Magrowski. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August 2018. My current position is COS enveloper series 2 at the A4 Plant. I have worked in this position since August 2018.

3. As a COS enveloper series 2, I am responsible for loading the machine by making sure the groups are correct and paper is aligned properly, and if the machine is down, help out other individuals or perform clean-up.

4. I work the third shift. I Monday through Friday. I am paid at least \$23/hr. average rate and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a COS enveloper series 2, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Respirator as needed. I put on my Uniform, Safety Glasses, and Boots in the locker room. I put on my Ear Plugs while walking

Ex. 1002-335

exhibitstick.com

from the locker room to my work station. I put on my Gloves and Respirator (when needed) at my work station.

6. I usually arrive to the A4 Plant at 10:20 a.m. Once I arrive I clock in, put my lunch bag in the lunch room, walk to the first set of lockers to get my uniform, walk to the other set of lockers to get changed, and then go to the work floor.

7. It usually takes me 5 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation

9. I usually stop work at my work station at 6:10 a.m. and perform cleanup. I am allowed to leave the floor at 6:20 a.m.

10. Once I leave the floor, I perform the following activities: take off the uniform and put it in the bins, take a shower, change into normal clothes, clock out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.


Britney Magrowski

6. I usually arrive to the A4 Plant at 10:15. Once I arrive I punch in. I grab my uniform, boots and safety glasses. I go to my locker and change. I then walk to the leaders desk in the formation room and pick up my PPE and go to my work station.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:10a.m. I am allowed to leave the floor at 6:20a.m.

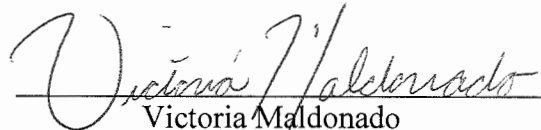
9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.


Victoria Maldonado

6. I usually arrive to the A3 Plant between 6:40 a.m. and 6:42 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform, steel-toe boots, and safety glasses, punch in, and go to the floor, getting my ear plugs on the way to the floor.

7. It usually takes me five minutes to change into my uniform, boots, and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:45 p.m. I am allowed to leave the floor at 2:48p.m.

9. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, shower, change into my street clothes, clock out, then leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Dominic Malone', written over a horizontal line.

DOMINIC MALONE

maintenance, fill in the line when either people are out or if someone must step off the line for any particular reason.

4. I work the second shift. I work Monday through Friday, unless we are under mandatory overtime in which I work from Sunday through Friday. I am aware that with bonus that I am paid \$ 25 per hour. I receive time and a half pay for all hours worked over forty in a workweek.

5. As an Assembly Floater, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Hard Hat (when I am operating a tow motor or stack truck; burning gloves. I put on my uniform, boots and safety glasses in the locker room. I put on all the remaining PPE: Ear Plugs, Hard Hat (if required), gloves and burning gloves (when required) at my work station.

6. I usually arrive to the Automotive Industrial Plant at 2:10 pm. Once I arrive I walk to my uniform locker, grab my uniform from my locker, I take said uniform into locker room, go into my locker change into my uniform, put on my boots, safety glasses, pen in pocket, purse goes into locker, take my lunch bag, walk it into the break room to place it on a shelf, walk to the punch clock, scan my card to clock in.

7. It usually takes me five minutes to change into my uniform, boots, and safety glasses and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:15 pm. I am allowed to leave the floor at 10:20 pm.

9. Once I leave the floor, I perform the following activities: walk to the locker room, go to my locker, unlock the locker, remove boots and uniform, remove shower caddy, grab a

towel, sandals, head to the shower, take shower, dispose of towel, uniform in laundry bins, walk back to locker, change into street clothes, put away shower caddy, get my personal belongings out of my locker, head to the punch clock, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of March, 2019 in Lyon Station, Pennsylvania.


ANGELA MANCUSO

Ex. 1002-339

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MATTHEW MANLEY

1. My name is Matthew Manley and I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since March 2017. My current position is a Heat Seal Operator at the A1 Plant. I have worked as a Heat Seal Operator since April 2018. I previously worked as a Group Dropper in A1 since March 2017.

3. As a Heat Seal Operator, I am responsible for making sure batteries are okay internally and placing cover onto battery for heat sealing process.

4. I work the first shift. I work Monday through Friday.

5. I am paid approximately \$22.50/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Heat Seal Operator I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves; and Ear Plugs. I put on my uniform, safety shoes, and safety glasses in the locker room. I put on my gloves and ear plugs on the floor.

7. I usually arrive to the A1 Plant at 2:50PM. Once I arrive I go the locker room, grab my uniform, change into my uniform, wait in the lunch room, clock in, wait in the lunch room, and then head to my work station.

8. It usually takes me 3 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 10:55pm. I am allowed to leave the floor at 11:05pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April 2019 in Lyon Station, Pennsylvania.


Matthew Manley

6. I usually arrive to the Central Services Plant at 2:43 pm. Once I arrive I go to the lunch room, drop off my lunch bag, go to the punch clock, wait at punch clock, clock in, go to my uniform locker, get my work uniform, go to the locker room, go to my personal locker, change out of my clothes and into my work uniform, go to my workstation.

7. It usually takes me six minutes to change into my uniform, boots and safety glasses and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:50 pm. I am allowed to leave the floor at 10:50 pm.

9. Once I leave the floor, I perform the following activities: go to the locker room, go to my personal locker, take off my work uniform, put dirty work uniform in the dirty bins, go to the shower, take shower, grab a towel, dry off, go back to my personal locker, get changed, go to the time clock, wait in line to punch out, punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Samba Mansaray', written over a horizontal line.

SAMBA MANSARAY

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MICHAEL MANTZ

1. My name is Michael Mantz. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June 1995. My current position is a Pasting Technician at the S1 Plant. I have worked in this position since December 2009.

3. As a Pasting Technician, I am responsible for set lines up, maintenance work, rebuild equipment so lines run smoothly.

4. I am on first shift. I work Monday through Friday. I am paid \$23 /hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a Pasting Technician, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; occasionally a Face shield; and occasionally a hard hat. I put on my uniform and safety shoes in the locker room. I put on my

Ex. 1002-341

exhibitsticker.com

safety glasses while walking from the locker room to my work station. I put on my earplugs and gloves at my work station.

6. I usually arrive to the S1 Plant at 6:01am. Once I arrive I punch in, grab my uniform out of my locker, change, go into the lunchroom then I go onto the floor.

7. It usually takes me 6 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:05pm. I am allowed to leave the floor at 2:05pm.


9. Once I leave the floor, I perform the following activities: wait until the locker room has cleared out, remove my uniform and shower, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of March 2019 in Lyon Station, Pennsylvania.


Michael Mantz

5. As a leader in raw fill, I wear the following personal protective equipment: uniform, safety glasses, steel-toe boots, and gloves if needed. I put on my uniform and boots and safety glasses in the locker room. At my work station, I put on my gloves if needed.

6. I usually arrive to the A4 Plant at about 5:40 a.m. Once I arrive I go clock in right away. Then, I go put my lunch box in lunch room, and then grab clothing from hallway locker; and then go to the locker room to change into my uniform and PPE.

7. It usually takes me seven to eight minutes to change into my uniform and boots and safety glasses and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at 2:30 to 2:35 p.m. I leave the floor at 2:35 p.m. to turn in the paperwork. After turning in the paperwork, I leave the office at 2:40 p.m.

10. Once I leave the office, I perform the following activities: I go to the locker room and take my uniform and boots off and then take a shower. Then, I put on my street clothes and immediately clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

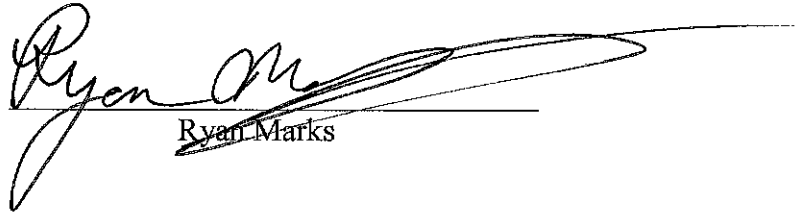
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19 day of March, 2019 in Lyon Station, Pennsylvania.


Ryan Marks

6. I usually arrive to the A3 Plant between 6:40 a.m. and 6:45 a.m. Once I arrive I punch in, go to my personal locker, change into my uniform, which I keep in my personal locker, and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I occasionally use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:30 p.m. I am allowed to leave the floor at 2:35 p.m.

10. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform, place my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April, 2019 in Lyon Station, Pennsylvania.



DIOGRIS MARTINEZ

I put on my uniform, safety shoes, and safety glasses in the locker room. I put on my gloves and hard hat at the work station.

7. I usually arrive to the A1 Plant at 2:50PM. Once I arrive I go into the locker room, grab my uniform, change into my uniform, and then wait in the lunch room. I then clock in and sit and wait in the lunch room and finally go to my work station.

8. It usually takes me 3 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 11:00PM. I am allowed to leave the floor at 11:05PM.

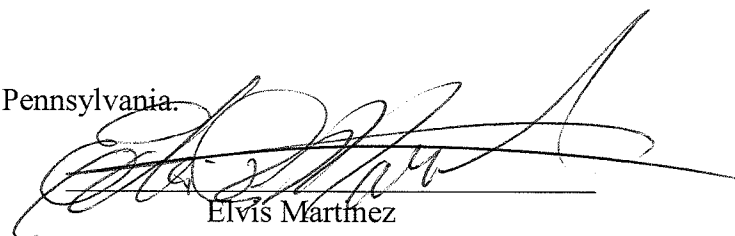
10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, and clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April 2019 in Lyon Station, Pennsylvania.



Elvis Martinez

needed). I put on my Uniform, Boots, and Safety Glasses in the locker room. I put on my Gloves (as needed) and Hard Hat (as needed) on the work floor.

6. I usually arrive to the A4 Plant at 5:50 a.m. Once I arrive I clock in, get my uniform, go to the locker room and change into my uniform, then go to the work floor.

7. It usually takes me 4 minutes to change into my uniform and 2 minutes to walk to the office area of A4. I can put on my other PPE at my workstation as needed.

8. I usually stop work and leave the floor at 2:50 p.m.

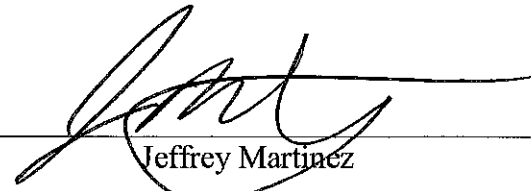
9. Once I leave the floor, I perform the following activities: I go to the locker room, take off my uniform, shower, put on my personal clothing, clock out, and leave. The time provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of April, 2019 in Lyon Station, Pennsylvania.


Jeffrey Martinez

5. As a Con Cast Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield; Respirator; and Hard Hat, when operating a fork lift. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 6:20 a.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, walk to the cafeteria and relax and eat a snack, punch in, and report to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:31 p.m. I am allowed to leave the floor at 2:33 p.m.

9. Once I leave the floor, I perform the following activities: I punch out, walk to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, change into my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of March, 2019 in Lyon Station, Pennsylvania.


MARVIN MARTINEZ

Hat, depending on the task. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant between 6:30 a.m. and 6:35 a.m. Once I arrive I punch in, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:30 p.m. I am allowed to leave the floor at 2:35 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April, 2019 in Lyon Station, Pennsylvania.



PEDRO MARTINEZ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF BALTAZAR MARTINEZ-ALAMANZA

1. My name is Baltazar Martinez-Alamanza. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since January of 2014. My current position is Pasting Take-Off Operator at the A4 Plant. I have worked in this position since November 2016. I previously worked at Kutztown Wire as a drawing and bunching operator from July 2014 until November 2016.

3. As a Pasting Take-Off Operator, I am responsible for monitoring the robots to make sure the plates are good quality. I check plates for thickness, moisture content, and assisting the Pasting Machine Operator at the front of the line.

4. I work the third shift. I work Monday through Friday. I am paid \$19.95 per hour plus line bonus and I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-348

exhibitster.com

5. As a Pasting Take-Off Operator, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs and a Respirator as needed. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs and Respirator as needed at my work station.

6. I usually arrive to the A4 Plant at 9:30p.m. Once I arrive I go put my lunchbox on the shelf. I then go my uniform locker and remove my uniform and gear and go to my personal locker to get dressed. Then I go and punch in. I then go to the floor to my workstation to start the day.

7. It usually takes me about five minutes to change into my uniform and boots and glasses and to walk to my work station. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift start to report to my work station.

9. I usually stop work at my work station at 5:45a.m. I am allowed to leave the floor at 5:50a.m.

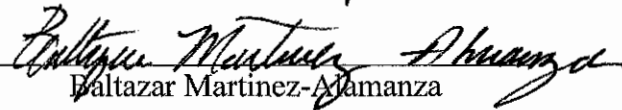
10. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin, I take my shower and then I towel dry. I then return to my locker and put my street clothes on. I then leave the locker room and then punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and suffer no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of March, 2019 in Lyon Station, Pennsylvania.


Baltazar Martinez-Alamanza

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF DWAYNE MATHIAS

1. My name is Dwayne Mathias. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since April of 1988. My current position is Oxide Operator at the Oxide 1 Plant. I have worked in this position since July of 2005.

3. As an Oxide Operator, I am responsible for putting lead in pots, melting the lead, and turning it into power.

4. I work the first shift. I work Monday through Friday. I am paid \$19.10 and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an Oxide Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Face Shield; Respirator, depending on the task; and Hard Hat, when operating a fork truck. I put on my Uniform, Safety

Ex. 1002-349

exhibitster.com

Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the OX1 Plant at 7:45 a.m. Once I arrive I punch in, put my lunch box in the lunch room, go to the uniform locker, get my uniform, go to my clean-side locker and change into my uniform, go the dirty-side locker and put on my steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 3:50 p.m. I am allowed to leave the floor at 3:55 p.m.

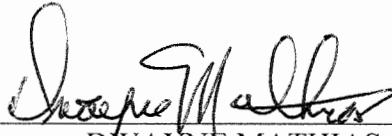
9. Once I leave the floor, I perform the following activities: I punch out, go to the dirty-side locker and remove my uniform and steel-toe boots, put my boots in the locker and my uniform in the laundry bin, shower, go to the clean-side locker, dress in my street clothes, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of April, 2019 in Lyon Station, Pennsylvania.



DWAYNE MATHIAS

5. As a Connector Burner, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; Hard Hat (as required). I put on my Uniform, Steel-Toe Boots and Safety Glasses in the locker room. I put on my Ear Plugs while walking from the locker room to my work station. I put on my Gloves and Hard Hat (as required) at my work station.

6. I usually arrive to the Industrial Automotive Plant at 5:45 am. Once I arrive, I put lunch away, get uniform, put on uniform and wait to clock in.

7. It usually takes me 8-10 minutes to change into my uniform and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 2:00 pm. I am allowed to leave the floor at 2:05 pm.

10. Once I leave the floor, I perform the following activities: undress, shower put on my street clothes and wait to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of MARCH, 2019 in Lyon Station, Pennsylvania.



DARYL MAURER SR.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF STEPHEN MAYO

1. My name is Stephen Mayo. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since February 2018. My current position is material handler at the S1 Plant. I have worked in this position since March 2019. I previously worked as a floater at the S1 Plant. I worked in this position from February 2018 through March 2019.

3. As a material handler, I am responsible for loading the line with batteries and taking the batteries to be shipped.

4. I work the third shift. I work Monday through Friday. I am paid \$19/hr. plus bonus and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a material handler, I wear the following personal protective equipment:
Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Hard Hat (as needed). I put on

Ex. 1002-351

EXHIBITSLUCKER.COM

my Uniform, Safety Glasses, and Boots in the locker room. I put on my Ear Plugs (as needed) and my Hard Hat (as needed) at my work station.

6. I usually arrive to the S1 Plant at 10:20 p.m. Once I arrive I go to my locker for my uniform, then clock in, go to the locker room and change, take my lunch bag to the lunch room, and head upstairs to the work floor.

7. It usually takes me 4 minutes to change into my uniform and boots and 2 minutes to walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:15 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

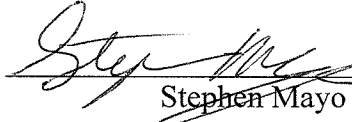
9. Once I leave the floor, I perform the following activities: go to my locker, change, take a shower, change into my personal clothing, get my lunch bag, clock out, and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this April day of 4, 2019 in Lyon Station, Pennsylvania.



Stephen Mayo

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF BRITTANY MCANDREW

1. My name is Brittany McAndrew. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since May 2018. My current position is enveloper series 2 at the A4 Plant. I have worked in this position since May 2018.

3. As an enveloper series 2, I am responsible for loading plates into feeders to create groups.

4. I work the third shift. I work Sunday evening through Friday morning. I am paid \$21.76/hr. average and I receive time and a half pay for all hours worked over forty in a workweek.

5. As an enveloper series 2, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Respirator. I put on my

Ex. 1002-352

exhibitstick.com

Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves, Ear Plugs, and Respirator at my work station.

6. I usually arrive to the A4 Plant at 10:16 a.m. Once I arrive I clock in, go to the locker room, get my uniform, put my belongings away, change, and go to the work floor.

7. It usually takes me 6 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation

9. I usually stop work at my work station at 6:10 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

10. Once I leave the floor, I perform the following activities: walk to the locker room, wash my hands, undress, shower, change back into my regular clothing, then clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Brittany McAndrew", written over a horizontal line.

Brittany McAndrew

my Uniform and Steel-Toe Boots in the locker room. I put on my Safety Glasses, Gloves, Ear Plugs and a Respirator as needed at my work station.

6. I usually arrive to the S1 Plant at 10:20p.m. Once I arrive I punch in I go to the uniform locker and pick up my uniform. I then go to my locker in the locker room and put on my Uniform, Steel-Toe Boots. Once dressed, and go to the Plate Prep Floor.

7. It usually takes me five minutes to change into my uniform and walk to Plate Prep Floor. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 6:20a.m. I am allowed to leave the floor at 6:35a.m.

9. Once I leave the floor, I perform the following activities: I go the locker room, remove my uniform and boots; then I put my boots away. I then take my used uniform and put it in the laundry bin. Then I take my shower and then I towel off. I then return to my locker and put on my street clothes. I then leave the locker room and then I punch out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5 day of April, 2019 in Lyon Station, Pennsylvania.


James McCoy

Ex. 1002-354

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF STEVEN MECKEL

1. My name is Steven Meckel and I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 1991. My current position is Material Handler at the A1 Plant. I have worked as a Material Handler since January of 2019. I previously worked as a COS Enveloper in the A1 plant from August of 1991 through January of 2019.

3. As a Material Handler, I am responsible for maintaining the production lines with materials and supplies and making sure batteries that are being shipped to other buildings are good quality.

4. I work the first shift. I work Monday through Friday.

5. I am paid \$22.50/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Material Handler I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves; Ear Plugs; Respirator and Hard Hat as

necessary. I put on my uniform and safety shoes in the locker room. I put my safety glasses, ear plugs and respirator on as I walk onto the floor. I put on my gloves and hard hat as needed at the work station.

7. I usually arrive to the A1 Plant at 6:15am. Once I arrive I punch in, go into the locker room, grab my uniform, change into my uniform then go to my work station.

8. It usually takes me 8 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:20pm. I am allowed to leave the floor at 2:20pm.

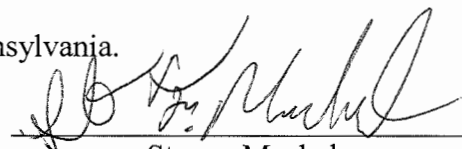
10. Once I leave the floor, I perform the following activities: I go have a cigarette, then go to the locker room, take my uniform off, shower, change into my street clothes, and clock out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of April 2019 in Lyon Station, Pennsylvania.


Steven Meckel

task; and Respirator, depending on the task. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 2:10 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the lunch room and wait until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 10:35 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of April, 2019 in Lyon Station, Pennsylvania.



ALLEN MECKES

4. I work the weekend shift. I work Thursday through Sunday. I work voluntary overtime when available. I am paid \$19.20/hr. and department bonuses, and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a finish line material handler, I wear the following personal protective equipment: Uniform; Safety Glasses; Rubber Steel-Toe Boots; Latex Gloves; Ear Plugs; Face Shield as required; and Hard Hat as required. I put on my Uniform; Safety Glasses; and Rubber Steel-Toe Boots in the locker room. I put on my Ear Plugs while walking from the locker room to my work station. I put on my Latex Gloves; Ear Plugs; Face Shield; and Hard Hat at my work station.

6. I usually arrive to the A4 Plant at 1:50 PM. Once I arrive I go to the lunch room to put away my lunch bag, go to my uniform locker to get my uniform, go to my personal locker, change from my street clothes to my uniform and rubber steel-toe boots, put on my safety glasses, go outside to smoking area to wait to clock in, and then clock in.

7. It usually takes me four (4) minutes to change into my uniform and rubber steel-toe boots, and put on my safety glasses. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. I usually stop work at my work station at 12:00 AM. I am allowed to leave the floor at 12:05 AM.

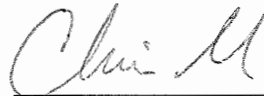
9. Once I leave the floor, I perform the following activities: go to my personal locker, take off my uniform and rubber steel-tow boots, put my uniform in the laundry bin, get a towel, take a shower, change into my street clothes, put towel in laundry bin, and clock out. The ten (10) minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Chris M", is written over a horizontal line.

Christopher Medero

Ear Plugs when I enter the floor. I put on my Gloves at my work station. I do not wear a uniform.

6. I usually arrive to the IM2 Plant at 6:15 AM. Once I arrive, I go to the break room and have a cup of coffee, clock in at approximately 6:50 AM, go to the locker room, put on my safety glasses, obtain my tool box and then go downstairs to the floor.

7. It usually takes me 5 minutes to put on my safety glasses and obtain my tool box and walk to my work station. I can put on my other PPE while walking to my work station or at my work station at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my work station. I occasionally use this grace period to report to my work station.

9. I usually stop work at my work station at 2:45 PM. I am allowed to leave the floor at 2:55 PM.

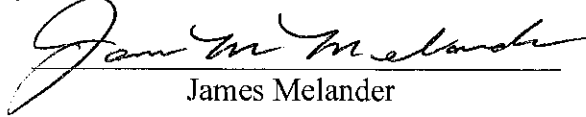
10. Once I leave the floor, I perform the following activities: I go to the locker room to change my glasses, put my tool box in my locker, obtain my personal items and then wait to clock out. I am not required to shower.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.


James Melander

Green Welding Jacket as needed; and Respirator as needed. I put on my uniform and safety shoes on in the locker room. I put my safety glasses on as I walk onto the floor. I put on my gloves, ear plugs, face shield, green welding jacket, and respirator at my workstation.

7. I usually arrive to the A1 Plant at 6:20am. Once I arrive I sit in the lunch room, have a cup of coffee, I then clock in, walk into the locker room, grab my uniform, change into my uniform, and head to my work station.

8. It usually takes me 3 minutes to change into my uniform and 3 minutes to walk to my work station.

9. I usually stop work at my work station at 2:25pm. I am allowed to leave the floor at 2:35pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform, place uniform into bin, grab my towel and soap from my locker, shower, change into my street clothes, punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April 2019 in Lyon Station, Pennsylvania.


Jose Melendez

my Uniform, Safety Glasses, and Boots in the locker room. I put on my Gloves; Ear Plugs; and Respirator (as needed) at my work station.

6. I usually arrive to the A4 Plant at 10:05 a.m. Once I arrive I go to my clothing locker to get my uniform, go to my personal locker and get dressed, sometimes I stand waiting at the time clock, then clock in when appropriate and go to the work floor.

7. It usually takes me 6 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:10 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

10. Once I leave the floor, I perform the following activities: go to the locker room, put my shirt in the dirty shirt bin, go to my locker and get undressed, shower, get dressed in my clothing, walk my towel to the dirty towel bin, clock out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of MARCH, 2019 in Lyon Station, Pennsylvania.



Mark Meleta

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF FLORACIO MENDEZ

1. My name is Floracio Mendez. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since October of 2015. My current position is COS Enveloper in the A-3 Plant. I have held this position since the inception of my employment. As a COS Enveloper in the A-3 Plant, I am responsible for putting lead plates on the enveloping machine so they can be counted, wrapped (enveloped), stacked and put into the battery cases.

3. I work the third shift. I work Monday through Friday. I am paid approximately \$19.90/hr., inclusive of shift differential but exclusive of incentive compensation. I receive time and a half pay for all hours worked over forty in a workweek.

4. As a COS Enveloper, I wear the following personal protective equipment:
Uniform; Safety Glasses; Gloves (various types); Respirator; Ear Plugs and Steel-Toe Boots. I

put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. The other elements of my PPE I put on, as necessary, at my work station.

5. I usually arrive to the A-3 Plant at 10:05 PM. I gather my uniform and my boots and change my clothes. Then, I clock in and walk directly to my work station on the plant floor.

6. It usually takes me about 5 minutes to change into my uniform, safety glasses and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

7. I usually stop work at my work station at 5:45 AM, at which time I spend 15 or so minutes cleaning my work area. Then, I leave the floor at exactly 6:03 AM.

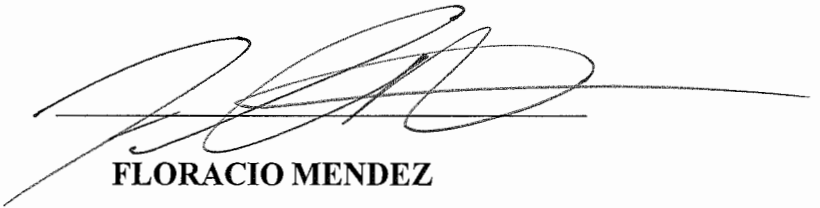
8. Once I leave the floor, I perform the following activities: walk to the locker room, remove my uniform, shower, dress in my street clothes, and then clock out. The 12 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

9. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

10. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4 day of April, 2019 in Lyon Station, Pennsylvania.



FLORACIO MENDEZ

Steel-Toe Boots in the locker room. I put on remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant at 5:30 a.m. Once I arrive I punch in, get my key, go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, and to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 1:50 p.m. and I am allowed to leave the floor at that time.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my steel-toe boots, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of April, 2019 in Lyon Station, Pennsylvania.



RICHARD MENGEL, JR.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

V.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF TODD MENGEL

1. My name is Todd Mengel. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June 2001. My current position is assembly floater at the A4 Plant. I have worked in this position since 2011.

3. As a assembly floater, I am responsible for set up the machines, make sure if there are changeovers we keep the lines running.

4. I work the third shift. I work Monday through Friday. I am paid between \$19/hr. and \$20/hr. and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a assembly floater, I wear the following personal protective equipment:
Uniform; Safety Glasses; Steel-Toe Shoes; Gloves; Ear Plugs; Respirator as needed. I put on my
Uniform, Steel-Toe Shoes, and Safety Glasses in the locker room. I put on my Ear Plugs,
Gloves, and Respirator as needed at my work station.

Ex. 1002-362

6. I usually arrive to the A4 Plant at 10:00 p.m. Once I arrive I put my uniform on, punch in, and go out onto the floor.

7. It usually takes me 3 minutes to change into my uniform and boots about 3 minutes and walk to my workstation. I can put on my other PPE while at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:15 a.m. and perform clean-up. I am allowed to leave the floor at 6:20 a.m.

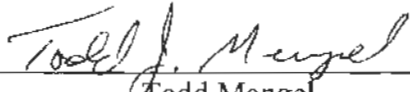
10. Once I leave the floor, I perform the following activities: get undressed, grab a towel, throw my uniform in the bin, grab a shower, change, clock out. Sometimes I have to wait a minute or two to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of MARCH, 2019 in Lyon Station, Pennsylvania.



Todd Mengel

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF MATTHEW MERKEL

1. My name is Matthew Merkel. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since August of 2010. My current position is in Maintenance Mechanic at the A1 Plant. I have worked in this position since February of 2016.

3. As a Maintenance Mechanic, I am responsible for the daily maintenance of the production facility at the A1 plant.

4. I work the third shift. I work Monday through Friday. I am paid 26.85 hourly and I receive time and a half pay for all hours worked over forty hours in a workweek. I am paid from when I punch in to when I punch out.

5. As a Maintenance Mechanic, I wear the following personal protective equipment: a Uniform, Safety Glasses, Steel-Toe Boots, Gloves, Ear Plugs, Face Shield as needed, Respirator as needed and Hard Hat as needed. I put on my Uniform, Safety Glasses, and Steel-

Ex. 1002-363

exhibitster.com

Toe Boots in the locker room. I put on my Gloves, Ear Plugs, Face Shield as needed, Respirator as needed and Hard Hat as needed at my work station.

6. I usually arrive to the A1 Plant at 10:00p.m. Once I arrive I punch in, then I get my uniform, put my uniform on. I then go to the mechanic's shop.

7. It usually takes me five minutes to change into my uniform, boots and safety glasses and walk to the Mechanic's shop. I can put on my other PPE at the Mechanic's shop when I need it for a job.

8. As a Maintenance Mechanic when I am finished with my day, because I have no set end time, I return to the locker room.

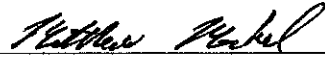
9. Once I leave the floor, I perform the following activities: I go to the locker room. I remove my boots and put them in my locker. I take off my used uniform and put it in the laundry bin. I then shower and towel off. I return to my locker and put on my street clothes, punch out and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Matthew Merkel", is written over a horizontal line.

Matthew Merkel

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF CODY MERTZ

1. My name is Cody Mertz. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since July of 2017. My current position is COS Takeoff at the A3 Plant. I have worked in this position since July of 2017.

3. As a COS Takeoff, I am responsible for checking batteries as they come off the machine and making sure they are within specifications, emptying cases, and loading batteries onto racks.

4. I work the second shift. I work Monday through Friday. I am paid \$19.55 / hour and I receive time and a half pay for all hours worked over forty in a workweek.

5. As a COS Takeoff, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; and Ear Plugs. I put on my Uniform, Safety Glasses, and Steel-Toe Boots in the locker room. I put on my Gloves and Ear Plugs at my work station.

Ex. 1002-364

exhibitster.com

6. I usually arrive to the A3 Plant at 1:30 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the lunch room and wait until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 9:50 p.m. I am allowed to leave the floor at 10:03 p.m.

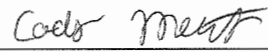
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Cody Mertz", is positioned above a horizontal line.

CODY MERTZ

6. I usually arrive to the A2 Plant at 5:15 a.m. Once I arrive I come in, grab my uniform, change at my locker, use the bathroom, smoke a cigarette in the smoke shack, come back into the building to the lunchroom at about 5:55 a.m., find out which line I am on, and clock in and head onto the floor..

7. It usually takes me about 5 minutes to change into my uniform and boots and about 1 minute to walk from the lunchroom where I clock in, to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation I usually use this grace period to report to my workstation and prepare my area.

9. I usually stop work at my work station at 2:00 p.m. and clean up my area and stow my tools. I am allowed to leave the floor at 2:05 p.m.

10. Once I leave the floor, I perform the following activities: remove my uniform, shower, dress in my street clothes, and wait a couples minutes to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of MARCH, 2019 in Lyon Station, Pennsylvania.



Joe Mest

Defendant.

Case No. 5:18-cv-01194-GEKP

1. My name is Mike Meyers. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company (“Company”) and have worked at the Company since October of 2014. My current position is Floater – Forming Room in S-1 Plant. I have held this position since July of 2017. As a Floater – Forming Room, I fill-in for Forming Room employees who are absent due to illness, vacation, medical leave, etc.

3. I work the third shift. I work Monday through Friday. I am paid approximately \$19.25/hr., with shift differential but exclusive of incentive compensation. I receive time and a half pay for all hours worked over forty in a workweek.

4. As a Floater – Forming Room, I wear the following personal protective equipment: Uniform; Safety Glasses; Gloves; Ear Plugs; Apron; Goggles; Respirator; Hard Hat; Face Shield and Steel-Toe Boots. I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. The other elements of my PPE I put on, as necessary, at my work station.

5. I usually arrive to the S-1 Plant at 10:05 PM. I clock in immediately, change my clothes and then go directly to my work station.

6. It usually takes me about 5 minutes to change into my uniform and boots. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

7. I usually stop work at my work station at 5:50 AM, at which time I spend 5-10 minutes cleaning my work area. Then, I leave the floor at 6:05 AM.

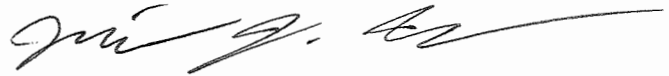
8. Once I leave the floor, I perform the following activities: walk to the locker room, remove my uniform, shower, dress in my street clothes, and then clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

9. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

10. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Mike Meyers", written over a horizontal line.

MIKE MEYERS

4. I work the third shift, Monday through Friday. I am paid a base rate of \$19.80/hr., inclusive of shift differential, but exclusive of production incentives. As an Industrial Paste Mixer, I receive time and a half pay for all hours worked over forty in a workweek.

5. As an Industrial Paste Mixer, I wear the following personal protective equipment: Uniform; Safety Glasses; Respirator; Gloves; Ear Plugs; and Steel-Toe Boots. I put on my Uniform, Safety Glasses and Boots in the locker room. I put on my other PPE, as necessary, on the work floor.

6. I usually arrive at the Industrial Building at 9:40 PM. Once I arrive, I collect my uniform and clock in. Then, I change my clothes. After changing, I proceed directly to my work station.

7. It usually takes me 5 minutes to change into my Uniform, Boots and Glasses.

8. Depending on how quickly the Pasting lines operate on my shift, I stop production work between 5:00 and 5:25 AM, at which time I clean my work area. I am permitted to leave the work floor at 5:35 AM.

9. Once I leave the floor, I perform the following activities: I walk to the locker room, remove my dirty work uniform, take a shower, change into my street clothes and clock out. The 10 minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.


10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work, as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9 day of April, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Robbie Mierzejewski", is written over a horizontal line.

ROBBIE MIERZEJEWSKI

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF HEATHER MILES

1. My name is Heather Miles. I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June of 2004. My current position is a raw fill operator at the A4 Plant. I have worked as a raw fill operator since September of 2014. Previous to working as a raw fill operator, I worked on the finish line as an acid capper leveler at the A4 Plant. I worked on finish line December 2011 to September 2014.

3. As a raw fill operator, I am responsible for putting batteries on the line, filling them with acid, and racking them.

4. I work the first shift. I work Monday through Friday. Sometimes, I work overtime on Saturdays and Sundays. I am paid approximately \$23 an hour. I am paid a weekly bonus of about \$130 for my production. I receive time and a half pay for all hours worked over forty in a workweek.

Ex. 1002-368

exhibitster.com

5. As a raw fill operator, I wear the following personal protective equipment: uniform, safety glasses, steel-toe rubber boots, gloves, face shield, and ear plugs. I put on my uniform and boots in the locker room. Right before I come on the floor, I put my safety glasses on. At my work station, I put on my gloves and face shield and ear plugs.

6. I usually arrive to the A4 Plant at 6:31 a.m. Once I arrive, I go straight to clock in. Then, I go to the locker room and change into my uniform and boots and safety glasses. Then, I go to my department.

7. It usually takes me five minutes to change into my uniform and boots and safety glasses and walk to the department.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop working at 2:30 p.m. I am allowed to leave the floor at 2:35 p.m.

10. Once I leave the floor, I perform the following activities: I go to the locker room and take my uniform and boots off and then take a shower. Then, I put on my street clothes and immediately go to clock out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

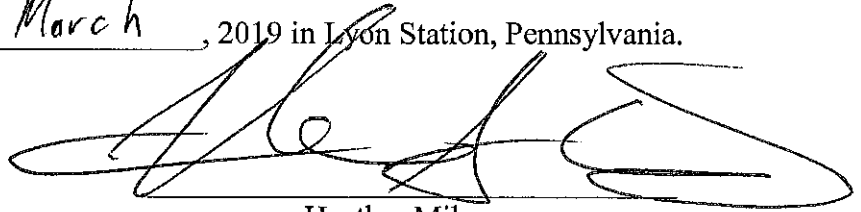
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Heather Miles', written over a horizontal line.

Heather Miles

5. As a Pasting Leader, I wear the following personal protective equipment: my Uniform, Steel-Toe Boots, Safety Glasses, Gloves, Ear Plugs, Face Shield if grinding, and Respirator as needed, Hard Hat. I put on my Uniform and Steel-Toe Boots and Safety Glasses in the locker room. I put on my Safety Glasses while walking from the locker room to my work station. I put on my Gloves, Ear Plugs, Face Shield if grinding, and Respirator as needed, Hard Hat as needed, at my work station.

6. I usually arrive to the A4 Plant at 5:40 a.m. Once I arrive I punch in, I go get my uniform, I put my lunchbox in the lunch room and then go to my personal locker. I then change into my uniform and PPE. I then head out to the work floor.

7. It usually takes me 5 minutes to change into my uniform my PPE and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 1:50p.m. I am allowed to leave the floor at 1:50 p.m.

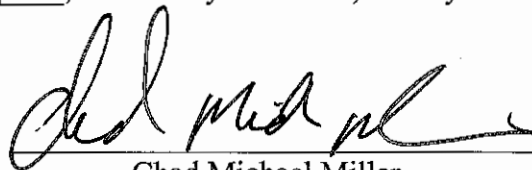
10. Once I leave the floor, I perform the following activities: I go to my locker, I remove my boots and my clothing, I grab my scrub sponge, and then take my used uniform and put it the laundry bin. I then shower, and towel off. After that I punch out usually between 2:04 p.m. to 2:05 p.m. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.

A handwritten signature in black ink, appearing to read "Chad Michael Miller", written over a horizontal line.

Chad Michael Miller

6. I usually arrive to the A3 Plant at 6:35 a.m. Once I arrive I go to the uniform locker, get my uniform, punch in, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me four minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:32 p.m. I am allowed to leave the floor at 2:35 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of March, 2019 in Lyon Station, Pennsylvania.


CLAYTON MILLER

5. As a Hyrate Operator, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves; Ear Plugs; and Ear Muffs. I put on my Uniform, Steel-Toe Boots, and Safety Glasses in the locker room. I put on my Ear Plugs and Ear Muffs at my work station.

6. I usually arrive to the A3 Plant at 6:23 a.m. Once I arrive I put my lunch box in the lunch room, go to the uniform locker and get my uniform, punch in, go to my personal locker, change into my uniform and steel-toe boots, and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station at 2:30 p.m. I am allowed to leave the floor at 2:35 p.m.

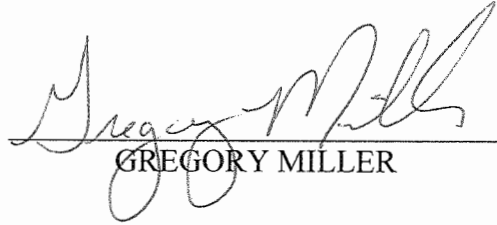
9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April, 2019 in Lyon Station, Pennsylvania.


GREGORY MILLER

6. I usually arrive to the A2 Plant at 6:19 a.m. Once I arrive I get my Uniform from the locker, punch the clock, get dressed in my uniform and go onto the floor.

7. It usually takes me 5 to 6 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation. I usually use this grace period to report to my workstation.

9. I usually stop work at my work station at 2:15 p.m. and perform cleanup. I am allowed to leave the floor at 2:15 p.m. to 2:20 p.m.

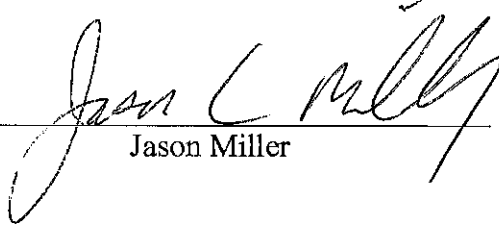
10. Once I leave the floor, I perform the following activities: grab my lunch box, grab a towel, take off my uniform and throw it in the bin, take a shower, get dressed, and stand to wait at the punch clock. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of March, 2019 in Lyon Station, Pennsylvania.



Jason Miller

Ex. 1002-373

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,
SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING
COMPANY,

Defendant.

Case No. 5:18-cv-01194-GEKP

DECLARATION OF SCOTT MILLER

1. My name is Scott Miller and I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently to them under oath if called as a witness.

2. I am employed by East Penn Manufacturing Company ("Company") and have worked at the Company since June of 1995. My current position is a Battery Analysis at the A1 Plant. I have worked as a Battery Analysis since January of 2013.

3. As a Battery Analysis, I am responsible for battery teardowns and determine why the battery failed.

4. I work the first shift. I work Monday through Friday.

5. I am paid approximately \$22/hr. and I receive time and a half pay for all hours worked over forty in a work week.

6. As a Battery Analysis I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Shoes; Gloves; Ear Plugs as needed; Face Shield as needed; and a Hard Hat as needed. I put on my uniform and safety shoes in the locker room. I put on my safety glasses as I am walking onto the floor. I put on all other PPE equipment as needed at my work station.

7. I usually arrive to the A1 Plant at 6:20am. Once I arrive I clock in, go into the locker room, grab my uniform, change into my uniform, and head to my work station.

8. It usually takes me 5 minutes to change into my uniform and 1 minute to walk to my work station.

9. I usually stop work at my work station at 2:00pm. I am allowed to leave the floor at 2:20pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, take my uniform off, shower, change into my street clothes, punch out and then go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of April 2019 in Lyon Station, Pennsylvania.


Scott Miller

I put on my Uniform, Safety Glasses and Steel-Toe Boots in the locker room. I put on my Gloves, Ear Plugs, and Respirator as needed at my work station.

6. I usually arrive to the A4 Plant at 5:20 a.m. Once I arrive I go to my uniform locker, grab my uniform and head into the locker room. I then change into my uniform and out of my street clothes. I then go and punch in after 5:31a.m. I then will use the bathroom if necessary, if not I will head to the shop floor and work station.

7. It usually takes me 5 minutes to change into my uniform, boots and safety glasses and then I walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 1:45p.m. I am allowed to leave the floor at 1:50p.m.

10. Once I leave the floor, I perform the following activities: I go to the locker room put my used uniform in the laundry bin, shower and towel off and then I put on my street clothes and punch out, usually around at 2:05p.m. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

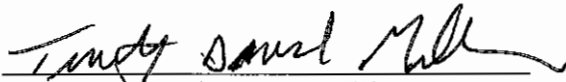
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20 day of MARCH, 2019 in Lyon Station, Pennsylvania.


Timothy David Miller

5. As a grid casting leader, I wear the following personal protective equipment: Uniform; Safety Glasses; Steel-Toe Boots; Gloves as needed; Ear Plugs; Face Shield as needed; Respirator as needed; and Hard Hat as needed. I put on my Uniform and Boots in the locker room. I put on my Ear Plugs and Safety Glasses while walking from the locker room to my work station. I put on my Gloves, Face Shild, Respirator, and Hard Hat at my work station.

6. I usually arrive to the A4 Plant at 9:48 p.m. Once I arrive I clock in, get my uniform, dress, get paperwork, then head to the work floor.

7. It usually takes me 4 minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE while walking to my workstation or at my workstation.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop work at my work station at 6:27 p.m. I am allowed to leave the floor at 6:27 p.m.

10. Once I leave the floor, I perform the following activities: go to my locker, get undressed, shower, put my clothes on, clock out, then leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

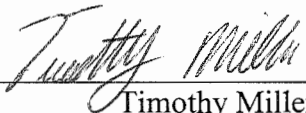
11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or

providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28 day of March, 2019 in Lyon Station, Pennsylvania.



Timothy Miller

when operating a stack truck. I put on my Uniform, Steel-Toe Boot, and Safety Glasses in the locker room. I put on my remaining personal protective equipment at my work station.

6. I usually arrive to the A3 Plant between 1:27 p.m. and 1:30 p.m. Once I arrive I go to the uniform locker, get my uniform, go to my personal locker, change into my uniform and steel-toe boots, go to the lunch room and wait until it is time to punch in. I then punch in and go to my work station.

7. It usually takes me five minutes to change into my uniform and boots and walk to my workstation. I can put on my other PPE at my workstation at the start of my worktime.

8. I usually stop work at my work station between 10:14 p.m. and 10:15 p.m. I am allowed to leave the floor between 10:18 p.m. and 10:20 p.m.

9. Once I leave the floor, I perform the following activities: I go to the locker room, remove my uniform and steel-toe boots, put my uniform in the laundry bin, shower, dress in my street clothes, punch out, and leave. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

10. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

11. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of March, 2019 in Lyon Station, Pennsylvania.



CHRISTOPHER MILLINGTON

boots and my safety glasses in the locker room. At my work station, I put on my gloves and face shield.

6. I usually arrive to the A4 Plant at 6:20 a.m. Once I arrive, I go straight to the cubby in the hallway and get my clothes. Then, I go to the locker room and change into my uniform and boots and safety glasses. Then, I go to the cafeteria and use my phone. Then, I clock in.

7. It usually takes me six minutes to change into my uniform and boots and safety glasses and walk to the department.

8. There is a five minute grace period after my shift starts to report to my workstation.

9. I usually stop working at 2:25 p.m. I am allowed to leave the floor at 2:35 p.m.

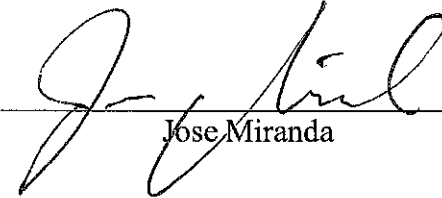
10. Once I leave the floor, I perform the following activities: I go to the locker room and take my uniform and boots off and then take a shower. Then, I put on my street clothes and immediately go to clock out. Usually, I wait one or two minutes before clocking out. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of March, 2019 in Lyon Station, Pennsylvania.



Jose Miranda

uniform, and safety shoes in the locker room. I put on my safety glasses on the way to the work station. I put on my gloves, face shield, hard hat and earplugs at my work station.

7. I usually arrive to the S1 Plant at 4:51am. Once I arrive I usually grab my uniform and go get changed, then punch in and head to the floor.

8. It usually takes me 3 minutes to change into my uniform and 1.5 minutes to walk to my workstation. There is a five minute grace period after my shift starts to report to my work station. Occasionally I have been a few minutes past my start time on the floor and utilized the grace period.

9. I usually stop work at my work station at 1:40pm. I am allowed to leave the floor at 1:50pm.

10. Once I leave the floor, I perform the following activities: go to the locker room, remove my uniform and shower, change into my street clothes, wait to punch out and go home. The ten minutes provided to me at the end of my shift to go to the locker room, shower, and change into my street clothes is sufficient for me to perform these activities.

11. I believe that I have been properly and fully compensated for all straight time and overtime hours associated with my regular production work as well as my donning/doffing and showering activities before and after my regularly scheduled shift time.

12. I have agreed to make this statement voluntarily, entirely of my own free will and choice. It has been explained to me that I will receive no benefit for making this statement or providing any particular statement in this document, and no detriment for refusing to make a statement.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.